



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 7]

नई दिल्ली, शनिवार, फरवरी 15, 1997/माघ 26, 1918

No. 7]

NEW DELHI, SATURDAY, FEBRUARY 15, 1997/MAGHA 26, 1918

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिसमें कि यह अलग संकलन के रूप में रखा जा सके।
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के भवालयों (रक्षा विभाग को लोडकर) द्वारा जारी किए गए शांतिकाल वाले और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)
नई दिल्ली, 12 फरवरी, 1996
(आयकर)

का.आ. 328 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार एतद्वारा “रामकृष्ण मिशन, पश्चिमी बंगाल” को कर-निर्धारण वर्ष 1997-98 से 1999-2000 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उन उपखंड के प्रयोग-जनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

- (ii) कर-निर्धारिती अपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्विष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में रवैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा, अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9969/का.सं. 197/14/96-आयकर नि.-I]
एच.के. चौधरी, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 328.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Ramakrishna Mission, West Bengal" for the purpose of the said sub-clause for the assessment years 1997-98 to 1999-2000 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not vest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9969/F. No. 197/14/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 12 फरवरी, 1996

(आधिकर)

का.आ. 329—आधिकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा "जिवाइन लाईट ट्रस्ट फार दि व्हाइल्ड, अंगलौर" का कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोगनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अर्थात् इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोजित किसी एक अथवा एक से अधिक लंग अथवा तरीकों से भिन्न तरीकों में इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख रखाव में स्वैच्छिक अंगदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ अथवा अभिलाभ के रूप में हो जब तक

कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तकां नहीं रखी जाती हैं ।

[अधिसूचना सं. 9970/फा.सं. 197/10/96 आ.का.नि.-I]
एन. के. चौधरी, अवर सचिव

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 329.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Divine Light Trust for the Blind, Bangalore" for the purpose of the said sub-clause for the assessment years 1995-97 to 1998-1999 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not vest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9970/F. No. 197/10/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 12 फरवरी, 1996

(आधिकर)

का.आ.—330—आधिकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा "कामनवैल्य पालियामैन्टी इसोमिएशन, बाबई" को कर निर्धारण वर्ष 1994-95 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोगनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अर्थात् इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोजित किसी एक अथवा एक से अधिक लंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख रखाव में स्वैच्छिक अंगदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगा, जो कि कारोबार से प्राप्त नाम तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिशाला नहीं हो तथा ऐसे कारोबार के संबंध में प्रत्यग में लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधि. सं. 9971/फा. स. 197/6/96 आ.क.नि. I]
एच. के. चौधरी, अधर सचिव

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 330.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies Commonwealth Parliamentary Association, Bombay for the purpose of the said sub-clause for the assessment years 1994-95 to 1996-97 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business.

[Notification No. 9971/F. No. 197/6/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 12 फरवरी, 1996

(आयकर)

का.आ. 331—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एवं द्वारा “अमालगेमैटिड तमिलनाडु शेयर्स आफ पोस्ट वार सर्विसज रिफ़ॅक्शन एण्ड स्पेशल फंड फार रिफ़ॅक्शन एण्ड रिफ़ॅलिटेशन आफ एक्स-सर्विसमैन, मद्रास” द्वारा कर निर्धारित वर्ष 1995-96 से 1996-97 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोगार्थी अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अध्यवा इसकी आय का इस्तेमाल करने के लिए इसका संवरपन पूर्णतया तथा अनन्यतया उक्त उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;

(ii) कर निर्धारिती उपर उल्लिखित कर निर्धारित वर्षों के संगत पूर्ववर्ती वर्षों की किसी भी अधिकारी के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अध्यवा एक से अधिक छंग अध्यवा तरीकों से जिला तरीकों से इसकी निधि (जेवर जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख रखाव में संचित अंशदान से भिन्न) का निवेश नहीं करेगा अध्यवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त नाम तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिशाला नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9972/फा. स. 197/9/96 आ.क.नि.-I]
एच. के. चौधरी, अधर सचिव

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 331.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Amalgamated Tamil Nadu Shares of Post War Services Reconstruction Fund and Special Fund for Reconstruction and Rehabilitation of Ex-servicemen, Madras” for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9972/F. No. 197/9/96-ITA-II]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 12 फरवरी, 1996

(आयकर)

का.आ. 332.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

एतद्वारा “श्री हनुमान व्यायाम प्रसारक मण्डल, अमरावती” को कर-निधारण वर्ष 1994-95 के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपर्युक्त के प्रयोजनार्थ अधिसूचित करती है, अर्थात्—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9974/फा.सं. 197/83/95-आ.क.नि 1]
एच.के. चौधरी, अवर सचिव

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 332.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Shree Hanuman Vyayam Prasarak Mandal, Amravati” for the purpose of the said sub-clause for the assessment years 1994-95 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gain of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9974/F. No. 197/93/95-ITA-I]
H. K. CHAUDHARY, Under Secy.

नई दिल्ली, 12 फरवरी, 1996
(आवकर)

का.प्रा. 333.—आवकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपर्युक्त (iv) द्वारा प्रदत्त शर्तों का व्योग करते हुए केन्द्रीय सरकार एतद्वारा “दि नेशनल एसोसिएशन फार दि ब्लाइंड, बंगलौर” को कर-निधारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपर्युक्त के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9975/फा.सं. 197/23/96-आवकर नि. I]
एच. के. चौधरी, अवर सचिव

New Delhi, the 12th February, 1996

(INCOME-TAX)

S.O. 333.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The National Association for the Blind, Bangalore” for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9975/F. No. 197/23/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

(आयकर)

का. आ. 334.—आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “पिरोजशा गोदरेज फाउण्डेशन, बम्बई” को करनिधारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (2) करनिधारिती उपर उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9977/फा. सं. 197/93/95-आयकर नि. I]
एच. के. चौधरी, अवर सचिव

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 334.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Pirojsha Godrej Foundation, Bombay” for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and

maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9977/F. No. 197/93/95-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

(आयकर)

का. आ. 335.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “सर रतन टाटा ट्रस्ट, बम्बई” को करनिधारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (2) करनिधारिती उपर उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9978/फा. सं. 197/56/95-आयकर नि. I]
एच. के. चौधरी, अवर सचिव

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 335.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Sir Ratan Tata Trust, Bombay” for the purpose

of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9973/F. No. 197/56/95-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

(आय कर)

का.आ. 336.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, "तमिलनाडु एक्ससर्विसिस पर्सनल बेनीफोलेन्ट फण्ड, मद्रास" को कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित शर्तों के प्रतीनि रहते हुए उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसमें आय का इस्तमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों के संगत पूर्ववर्ती वर्षों के लिये भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, कर्नीवर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में जो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9981/फा. सं. 197/25/96-आ.क.नि. 1]

के चौधरी, अवर सचिव,

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 336.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Tamilnadu Exservicemen Personnel Benevolent Fund, Madras" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9981/F. No. 197/25/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

(आयकर)

का.आ. 337.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार "श्री रामकृष्ण आश्रम, पश्चिम बंगाल" को कर-निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों के प्रतीनि रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की लिये भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, कर्नीवर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तकाएं नहीं रखी हों तथा ऐसे

कारोबार के संबंध में अन्य में लेद्या अनुसन्धान नहीं रखी जाती हैं।

[अधिसूचना सं. 9985/का.० सं. 197/18/96-आयकर नि०-१]
एच. के. चौधरी, अवर सचिव

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 337.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Ramakrishna Ashram, West Bengal" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (3) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9985/F. No. 197/18/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 20 फरवरी, 1996

(आयकर)

का०आ० 338.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवंद्वारा "दृष्टियन नैशनल थियेटर, बम्बई" को कर निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उप-खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उपवारा (5) में विनिर्दिष्ट किसी एक अवधि एक ग्रंथिक दंग अथवा तरीकों से निवारनी से इसकी निधि (जेयर-जवाहिरात, फर्नीचर शादि के रूप में प्राप्त तथा राज-एवाय में स्वालिक अंशदान से ग्रिह) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में आगे नहीं होगी, जो कि कारोबार में प्राप्त लाभ तथा अभिलाषा के रूप भं हो जब तक फैसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तब ऐसे कारोबार के संबंध में अन्य से लेड्र-अनुसन्धान नहीं रखी जाती हैं।

[अधिसूचना सं. 9986/का. सं. 197/115/95-आ.क.नि. II]

एच. के. चौधरी, अवर सचिव

(Central Board of Direct Taxes)

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 338.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Indian National Theatre, Bombay" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (3) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9986/F. No. 197/115/95-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

(आयकर)

का०आ० 339.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवंद्वारा "प्रक्षिणा समाज्या, यहुमरावा" को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उप-खंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों के संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा II की उपवारा (5) में विनिर्दिष्ट किसी एक अवधि एक ग्रंथिक दंग अथवा तरीकों से भिन्न तरीकों से इसकी

निधि (जेवर, जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तका नहीं रखी जाती हों।

[अधिसूचना सं. 9987/फा. सं. 197/9/95-आयकर नि. 1]

एच. के. चौधरी, अवर सचिव

New Delhi, the 20th February, 1996

(INCOME TAX)

S.O. 339.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Mahila Samakhya, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9987/F. No. 197/9/95-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

(आयकर)

का. आ. 340.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री सदगुरु सेवा संघ न्यास, बम्बई" को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिति इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिति उक्त उल्लिखित कर निर्धारण वर्षों के संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अर्थवा एक से अधिक ढंग अर्थवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर, जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9990/फा सं. 197/17/94-आयकर नि. 1]

एच. के. चौधरी, अवर सचिव

New Delhi, the 23rd February 1996

(INCOME TAX)

S.O. 340.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Sadguru Seva Sangh Trust, Bombay" for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of account's are maintained in respect of such business.

[Notification No. 9990/F. No. 197/17/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

(आयकर)

का. आ. 341.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "हरिजन सेवा संघ, विल्ली" को कर-निर्धारण वर्ष 1994-95 से 1996-97 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिति इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशावान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं० 9991/फा० सं० 197/130/95-आयकर नि०-1]

एच. के. चौधरी, अवर सचिव

New Delhi, the 23rd February, 1996

(INCOME TAX)

S.O. 341.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Harijan Sevak Sangh, Delhi" for the purpose of the said sub-clause for the assessment years 1994-95 to 1996-97 subject to the following conditions, namely :—

- the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9991/F. No. 197/130/95-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का०आ० 342.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "श्री सिद्धरंगा मठ, टुमकुर" को कर-निर्धारण वर्ष 1995-96 के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, प्रमाणित :—

- कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका

संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

- कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशावान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं० 9999/फा० सं० 197/113/94-आयकर नि०-1]

एच. के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 342.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sree Siddaganga Math, Tumkur" for the purpose of the said sub-clause for the assessment year 1995-96 subject to the following conditions, namely :—

- the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 9999/F. No. 197/113/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का०आ० 343.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "इंडस्ट्री फार हैरिटेज प्रीजरविंग दी पास्ट फार दिप्यन्चर, भोपाल" को कर-निर्धारण वर्ष, 1996-97 के लिए

निम्नलिखित घर्तों के अध्यधीन रहते हुए उक्त उपचंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिर, फर्नीचर, आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकां नहीं रखी जाती हों।

[अधिसूचना सं. 10001/फा.०००१ 197/17/96-प्रायकर नि.-१]
एच.के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 343.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Industry for Heritage—Preserving the Past for the Future, Bhopal” for the purpose of the said sub-clause for the assessment years 1996-97 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10001/F. No. 197/17/96 ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(प्रायकर)

का.प्रा. 344.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपचंड (iv) द्वारा प्रदत्त घटितों का प्रयोग करते हुए केव्रीय सरकार एतदद्वारा “कलकत्ता पिजारोल सोसाइटी, कलकत्ता” को कर-निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित घर्तों के अध्यधीन रहते हुए उक्त उपचंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिर, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश करेगा अथवा उसे जमा नहीं करवा सकेगा,
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकां नहीं रखी रखी जाती हों।

[अधिसूचना सं. 10002/फा.सं. 197/9/93-प्रायकर नि.-१]
एच. के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 344.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Calcutta Pinjrapole Society, Calcutta” for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the

objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10002/F. No. 197/9/93-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का.आ. 345.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “कलकत्ता पिंजरापोल सोसाइटी, कलकत्ता” को कर-निर्धारण वर्ष 1990-91 के लिए निम्ननिमित्त शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोगार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की लिसी भी अवधि के दौरान धारा II की उपधारा (5) में विनिर्दिष्ट किसी एक अयवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेव-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाल में स्वैच्छिक अंगदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अमिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रारंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेवा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10003/का.सं. 197/9/93-आयकर नि. 1-]
एच. के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 345.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Calcutta Pinjrapole Society, Calcutta” for the purpose of the said sub-clause for the assessment years 1990-91 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise

than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10003/F. No. 197/9/93-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का.आ. 346.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “दी जे.आर.डी. टाटा ट्रस्ट, बम्बई” को कर-निर्धारण वर्ष 1993-94 से 1995-96 के लिए निम्ननिमित्त शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोगार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अयवा एक से अधिक छंग अयवा तरीकों से भिन्न तरीकों से इसकी निधि (जेव-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाल में स्वैच्छिक अंगदान से भिन्न) का निवेश नहीं करेगा अयवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अमिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रारंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अतनु से लेवा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10004/का.सं. 197/143/94-आयकर नि. I]
एच. के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 346.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The J. R. D. Tata Trust, Bombay” for the purpose of the said sub-clause for the assessment years 1993-94, to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10004/F. No. 197/143/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का.प्रा. 347.—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “आचार्यकूल, वर्धा”) को कर-निर्धारण वर्ष 1995-96 से 1997-98 के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी भिन्न तरीकों से एक अर्थवा एक से अधिक ढंग अर्थवा तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10005/फा.सं. 197/7/96-आयकर नि.-I]

एच. के. चौधरी, अवर सचिव

New Delhi, the 11th March, 1996

(INCOME TAX)

sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

(i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10005/F. No. 197/7/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 11 मार्च, 1996

(आयकर)

का.प्रा. 348.—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए केन्द्रीय सरकार एतद्वारा “दी एनीबेसेन्ट ट्रस्ट, मद्रास” को कर-निर्धारण वर्ष 1996-97 से 1998-99 के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अर्थवा एक से अधिक ढंग अर्थवा तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10006/फा.सं. 197/37/96-आयकर नि.-I]

एच. के. चौधरी, अवर सचिव

S.O. 347.—In exercise of the powers conferred by sub-clause (iv) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Acharyakul, Wardha” for the purpose of the said

New Delhi, the 11th March, 1996

(INCOME TAX)

S.O. 348.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The Annie Besant Trust, Madras” for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10006] [F. No. 197/37/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 12 मार्च, 1996

(आयकर)

का.आ. 349.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा “इंस्टीट्यूट ऑफ मार्केटिंग एंड मैनेजमेंट, नई दिल्ली” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के प्रधानीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, प्रथम :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के

दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दुग्ध अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिनाश के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10007/फा.सं. 197/66/95-आयकर नि.-I]
ए.व. के. चौधरी, अवर सचिव

New Delhi, the 12th March, 1996

(INCOME TAX)

S.O. 349.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Institute of Marketing and Management, New Delhi” for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business.

[Notification No. 10007] [F. No. 197/66/95-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 19 मार्च, 1996
(आपकर)

का.आ. 350.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपर्युक्त (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा “रेल भवीं का कल्याण और राहन लोप, रेल द्वितीय” को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपर्युक्त के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाद्य में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा, अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिलाल के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10014/फा.सं. 197/98/93-आपकर नि.-I]

एच. के. चौधरी, अवर सचिव

New Delhi, the 19th March, 1996

(INCOME TAX)

S.O. 350.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Railway Minister’s Welfare and Relief Fund, New Delhi” for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;

- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business.

[Notification No. 10014/F. No. 197/98/93-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 मार्च, 1996

(आपकर)

का.आ. 351.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपर्युक्त (iv) द्वारा प्रदत्त शक्तियों जो प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा “शान प्रोग्राम, पुणे” को कर-निर्धारण वर्ष 1994-95 से 1996-97 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपर्युक्त के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग या तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाद्य में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाल के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति हेतु प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10025/फा.सं. 197/101/94-आ.क.नि.-I)]

एच. के. चौधरी, अवर सचिव

New Delhi, the 20th March, 1996

(INCOME TAX)

S.O. 351.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Jana Prabodhik (JP), Puane” for the purpose of the said sub-clause for the assessment years 1994-95 to 1996-97 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10025/F. No. 197/101/94-
ITA-II]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 21 मार्च, 1996

(ग्राहक)

का०ग्रा० 352.—ग्राहक अधिनियम, 1961 (1961 का 43) का धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा केन्द्रीय सरकार एतद्वारा “यूसुफ मेहराली सेन्टर, बस्टर्ड को” कर-निधारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित घटों के अधीन रहने द्वारा उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निधारिती इसकी आय का हस्तेमाल अथवा इसकी आय का हस्तेमाल करने हेतु इसका संचयन पूर्णतः तथा अनन्यता उन उद्देश्यों के लिए करेगा, जिनके लिए इपकी स्थापना की गई है;
- (ii) कर-निधारिती ऊपर उल्लिखित कर-निधारण वर्षों से, संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियमित किसी एक अथवा एक से अधिक ढंग या तरीकों से भिन्न तरीकों से इसकी निधि (जैवर-जबाहिरात

फर्तीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंगदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो फ़ि कारोबार से प्राप्त लाभ तथा अनियाम के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति हेतु प्राप्ति न नहीं हो तथा ऐसा कारोबार के संबंध में अलग से लेयान-नुस्ताएं नहीं रखी जाती हों।

[अधिसूचना सं० 10030/फा०सं० 197/91/95-ग्रा०ग्रा०नि० 1]
एच०क० चौधरी, अवर सचिव

New Delhi, the 21st March, 1996

(INCOME TAX)

S.O. 352.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Yusuf Meherally Centre, Bombay” for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11.
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10030/F. No. 197/91/95-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 22 मार्च, 1996

(ग्राहक)

का०ग्रा० 353:—ग्राहक अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा केन्द्रीय सरकार एतद्वारा “विवेकानन्द रॉक मेमोरियल एण्ड विवेकानन्द केन्द्र

मद्रास" को कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपचारण के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अर्थवा हसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अर्थवा एक से अधिक ढंग अर्थवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10038/फा०सं. 197/32/96-आयकर नि० 1] एच०क० चौधरी, अवर सचिव

New Delhi, the 22nd March, 1996

(INCOME TAX)

S.O. 353.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Vivekananda Rock Memorial and Vivekananda Kendra, Madras" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and

gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10038/F. No. 197/32/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 22 मार्च, 1996

(आयकर)

का०आ० 354.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपचारण (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "मेसूर रिसैटलमेंट एण्ड डिवेलपमेंट एजेंसी, बंगलौर" को कर-निर्धारण वर्ष 1995-96 से 1996-97 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपचारण के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अर्थवा एक से अधिक ढंग अर्थवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10039/फा०सं. 197/39/96-आयकर नि० 1]

एच०क० चौधरी, अवर सचिव

New Delhi, the 22nd March, 1996

(INCOME TAX)

S.O. 354.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Mysore Resettlement and Development Agency, Bangalore" for the purpose of the said sub-clause for

the assessment years 1995-96 and 1996-97 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10039/F. No. 197/39/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 26 मार्च, 1996

(आयकर)

का. आ. 355.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "मिणनरीज आफ चैरिटी, कलकत्ता" को करनिधरण वर्ष 1996-97 से 1998-99 तक के लिये निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) करनिधरीरति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उस उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) करनिधरीरति उपर-उल्लिखित करनिधरण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिविष्ट किसी एक अथवा एक से अधिक वर्ग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जबाहिरात, फर्निचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का नियेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा प्रभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधरीरति के उद्देश्यों की प्राप्ति के लिये प्राप्तिक नहीं हो तथा ऐसे कारोबार के संबंध में शलग में लेखा-पुरितकार्य नहीं रखी जाती है।

[अधिसूचना नं. 10046/फा. सं. 197/51/96-आयकर नि.-I]

प.च. के. चौधरी, अवर सचिव

New Delhi, the 26th March, 1996

(INCOME TAX)

S.O. 355.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Missionaries of Charity, Calcutta" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10046/F. No. 197/51/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 26 मार्च, 1996

(आयकर)

का. आ. 356.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "स्वामी रामानन्द तीर्थ मैमोरियल फूंड, हैंडरप्राइद" के करनिधरण वर्ष 1996-97 से 1998-99 तक के लिये

निम्नलिखित घटों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोगनार्थ अधिसूचित करती है, अधृति :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के के लिये करेगा जिनके लिये इसकी स्थापना की गई है;

(ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंगादान से भिन्न) का निवेश नहीं करेगा, अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पस्तिकार्य नहीं रखी जाती हों।

[अधिसूचना सं. 10047/फा.सं. 197/48/96-आयकर
नि.-I]

ए.च.के. चौधरी, अवर सचिव

New Delhi, the 26th March, 1996
(INCOME TAX)

S.O. 356.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Swami Ramananda Tirtha Memorial Committee, Hyderabad” for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the object for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and

gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10047|F. No. 197|48|96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(ध्राय कर)

का.आ. 357.—श्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन्टदूलारा “बोल्सनवासी श्री अक्षर पुरुषोत्तम संस्था, अहमदाबाद” को कर निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोगजनार्थ अधिसचित करती है, अर्थात्:—

(i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर निर्धारिती उपर उल्लिखित कर निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर जट्टाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशवान से भिन्न) का नियेष नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकायें नहीं रखी जाती हों।

[अधिसूचना सं. 10049/फा.सं. 197/50/96-प्रायकर
नि.-I]

आशुतोष चन्द्र, उप सचिव

New Delhi, the 27th March, 1996
(INCOME TAX)

S.O. 357.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies

'Bochasanwasi Shri Akshar Purushottam Sanstha, Ahmedabad' for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the object for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10049|F. No. 197|50|96-ITA-I]
ASHUTOSH CHANDRA, Dy. Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकर)

का.आ. 358.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "द मुस्लिम एजुकेशन सोसायटी (रजि.), कालीकट" को कर निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ

तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिये प्रारंभिक नहीं हो तथा ऐसे कारोबार के संबंध में ग्रलग से लेखा पुस्तिकार्य नहीं रखी जाती हों।

[अधिसूचना सं. 10050/फा.सं. 197/34/96-आयकर नि.-1]

एच.के. चौधरी, आयकर सचिव

New Delhi, the 27th March, 1996

(INCOME TAX)

S.O. 358.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Muslim Education Society (Regd.) Calicut" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10050|F. No. 197|34|96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकर)

का.आ. 359.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "भारत भवन ट्रस्ट, भोगल" को कर-निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों

के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय, का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उस जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10051/फा. सं. 197/36/96-आ. का. नि.-1]

एच.के. चौधरी, अवर सचिव

New Delhi, the 27th March, 1996

(INCOME TAX)

S.O. 359.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Bharat Bhavan Trust, Bhopal" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the object for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10051] F. No. 197/36/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकार)

का०आ० 360.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) के उपखंड (4) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "सेवा संघ समिति, हावड़ा" को कर निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों हेतु करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तकाएं रखी नहीं जाती हों।

[अधिसूचना सं. 10052/फा. सं. 197/22/95/आ०क०नि.-I]

एच.के. चौधरी, अवर सचिव

New Delhi, the 27th March, 1996

(INCOME TAX)

S.O. 360.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Seva Sangh Samiti, Howrah" for the purpose of the said sub-clause for the assessment years 1989-90 to

1991-92 subject to the following conditions namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10052/F. No. 197/22/95-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकर)

का०आ० 361:—आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा “अडलट ट्रेनिंग सेन्टर फार दी ब्लाइंड, अहमदाबाद” को कर-निधारिण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निधारिणी इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निधारिणी ऊपर-उल्लिखित कर निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनि-

दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिणी के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं० 10053/का०सं० 197/178/94-आयकर नि०-1]

एच०के० चौधरी, अवर-सचिव

New Delhi, the 27th March, 1996

(INCOME-TAX)

S.O. 361.—In exercise of the powers conferred by sub-clause (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Adult Training Centre for the Blind, Ahmedabad” for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10053/F. No. 197/178/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकर)

का०आ० 362 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “अड्डलट ट्रेनिंग सेंटर फार बी ब्लाइंड, अहमदाबाद” को कर-निर्धारण वर्ष 1992-93 से 1994-95 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिये इसकी स्थापना की गई है
- (ii) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएँ नहीं रखी जाती हों।

[अधिसूचना सं. 10054/फा. सं. 197/178/94-आयकर नि. -I]

ए.च.के. चौधरी, अवर सचिव

New Delhi, the 27th March, 1996

(INCOME-TAX)

S.O. 362.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Adult Training Centre for the Blind, Ahmedabad” for the purpose of the said sub-clause for the assessment

years 1992-93 to 1994-95 to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10054/F. No. 197/178/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 27 मार्च, 1996

(आयकर)

का०आ० 363—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “पनचेरू नौरोजी बनर्जी इंडस्ट्रीयल होम फार बी ब्लाइंड, बंबई” को कर-निर्धारण वर्ष 1993-94 से 1995-96 तक के लिये निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकायें नहीं रखी जाती हों।

[अधिसूचना सं. 10055/फा. सं. 197/174/94-प्रायकर नि.-I]

एच.के. चौधरी, अवर सचिव

New Delhi, the 27th March, 1996

(INCOME-TAX)

S.O. 363.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Muncherjee Nowrojee Banajee Industrial Home for the Blind, Bombay" for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10055/F. No. 197/174/94-ITA-1]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 3 मार्च, 1996

(प्रायकर)

का.प्रा. 364—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "सोमायटी फार प्रमोशन आफ बेस्टलैंड्स डिवेलपमेंट, नई दिल्ली" को कर-निधारण वर्ष 1996-97 से

1998-99 तक के लिये निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती हैं, अर्थात् :—

- (i) कर-निधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निधारिती ऊपर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ठंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर-शादि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा, अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकायें नहीं रखी जाती हों।

[अधिसूचना सं. 10058/फा. सं. 197/45/96-प्रायकर नि.-I]

एच.के. चौधरी, अवर सचिव

New Delhi, the 3rd April, 1996

(INCOME-TAX)

S.O. 364.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Society for Promotion of Wasterlands Development New Delhi." for the purpose of the said sub-clause for the Assessment Years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any

period during the previous years, relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10058/F. No. 197/45/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 3 अप्रैल, 1996

(आयकर)

का.आ. 365.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा “नेशनल मेंटर ऑफ फिल्मस फार चिल्ड्रन एंड यंग पीपल, नई दिल्ली” को करनिधरिण वर्ष 1995-96 में 1997-98 तक के लिये निम्नलिखित गती के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(1) करनिधरिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है :

(2) करनिधरिती ऊपर उल्लिखित करनिधरिण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी प्रक्रिया के द्वारा धारा 11 की उपधारा (5) में विविधिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रस्य-रस्याव में स्वैच्छिक अंशदान से भिन्न) का का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐनी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त नाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधरिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाम नहीं रखी जाती हों।

[अधिसूचना सं. 10059/फा. सं. 197/38/96 आयकर नि. I]

एम. के. चौधरी, अयर सचिव

New Delhi, the 3rd April, 1996

(INCOME TAX)

S.O. 365.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “National Centre of Films for Children and Young People, New Delhi” for the purpose of the said sub-clause for the Assessment years 1995-96 to 1997-1998 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objective of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10059/(F. No. 197/38/96-ITA-I)]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 3 अप्रैल, 1996

(आयकर)

का.आ. 366—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा “होमी भाभा फैलोशिप काउंसिल, बंबई” को कर-

निधिरिण वर्ष 1994-95 में 1996-97 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपचंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपायां (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक तंत्र अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाल में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकायें नहीं रखी जाती हों।

[अधिसूचना सं. 10060/फा.सं. 197/190/94-प्रयोक्ता नि.-1]

एच.के. चौधरी, अवग सचिव

New Delhi, the 3rd April, 1996

(INCOME TAX)

S.O. 366.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Homi Bhabha Fellowships Council, Bombay" for the purpose of the said sub-clause for the assessment years

1991-95 to 1996-97 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10060/F. No. 197/190/94-ITA-1]

H. K. CHOUDHARY, Under Secy.

मई दिल्ली, 3 अप्रैल, 1996

(आयकर)

का०आ० 367 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा "श्री कन्याकुमारी गुरुकुल आश्रम, कन्याकुमारी, तमिलनाडु" को कर-निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपचंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का उस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के

दीर्घ धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक अधिक से दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसा कारोबार के संबंध में अलग से लेखा-पुस्तकां नहीं रखी जाती हों।

[अधिसूचना सं. 10061/फा० सं. 197/81/94-आयकर नि०-1]

एच०क० चौधरी, अकार मन्त्रि

New Delhi, the 3rd April, 1996

(INCOME TAX)

S.O. 367.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Kanyakumari Gurukula Ashram, Kanyakumari, Tamil Nadu" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10061/F. No. 197/81/94-JTA-I]

H. K. CHOUDHARY, Under Secy.

नई शिल्पी, 3 अप्रैल, 1996

(आयकर)

आ०आ० 368.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के बण्ड (23-ग) के उपर्युक्त (iv) धारा प्रदत्त उक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा "श्री कन्याकुमारी गुरुकुल अधिनियम, कन्याकुमारी नियमिता" को करनिधारण वर्ष 1989-90 से 1990-91 तक के लिए नियमित शर्तों के अवैतन रहते हुए उक्त उपर्युक्त के प्रयोजनार्थ अधिसूचित करती है, अर्थात :—

- (i) कर-निर्धारिती इसकी आय का उस्तेमाल अथवा इसकी आय का उस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनलातया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दीर्घ धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसा कारोबार के संबंध में अलग से लेखा-पुस्तकां नहीं रखी जाती हों।

[अधिसूचना सं. 10062-फा० सं. 197/81/94-आयकर नि०-1]

एच०क० चौधरी, अकार मन्त्रि

New Delhi, the 3rd April, 1996
(INCOME TAX)

S.O. 368.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Kanyakumari Gurukula Ashram, Kanyakumari, Tamil Nadu" for the purpose of the said sub-clause for the assessment years 1989-90 to 1990-91 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10062/F. No. 197/81/94-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 10 अप्रैल 1996

(आयकर)

का०आ० 369.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार, एतद्वारा, "देवेज निवारण एवं समाज कल्याण परिपद, इटावा (उत्तर प्रदेश)" को कर-निधारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निधारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर, आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कांगोबार में प्राप्त लाभ तथा अभिलाभ के रूप में हो, जब तक कि ऐसा कांगोबार उक्त कर-निर्धारिती के उद्देश्यों

की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसे कांगोबार के संबंध में अलग से नेत्रा-प्रस्तकाएं नहीं ज्ञाती जाती हैं।

[अधिसूचना सं० 10065/फा०सं० 197/49/96-आ०क०नि० 1]
एच०क० चौधरी, अवर सचिव

New Delhi, the 10th April, 1996

(INCOME TAX)

S.O. 369.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Dahej Niwaran Avam Samaj Kalyan Parishad, Etawah (U.P.)" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10065/F. No. 197/49/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 10 अप्रैल, 1996

(आयकर)

का०आ० 370.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा "लेडी टाटा भेसरियल ट्रस्ट, बम्बई" को कर-निधारण वर्ष 1993-94 से 1995-96 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निधारण वर्षों के संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर, आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से

भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त नाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों को प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं. 10066-फा० सं. 197/191/94-आक.नि. 1]
एच०क० चौधरी, अवर सचिव

New Delhi, the 10th April, 1996
(INCOME TAX)

S.O. 370.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Lady Tata Memorial Trust, Bombay” for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10066|F. No. 197|191|
94-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई विल्ली, 10 अप्रैल, 1996

(आयकर)

का०आ० 371 :—आयकर अधिनियम, 1961 (1961 वा० 43) की धारा 10 के खण्ड (23-ग) के उपबंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय रखार एतद्वारा “चैन्टास इंडिया, नई दिल्ली” को कर-

निर्धारण वर्ष 1992-93 से 1994-95 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपबंड के प्रयोजनार्थ अधिसूचित करनी है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते हुए इसका मत्त्यन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों में गगन पूर्ववर्ती वर्षों को किमो भी अवधि के द्वारा धारा 11 की उपधारा (5) से विनिर्दिष्ट नियमी प्रक्रिया प्रक्रिया में यांत्रिक हो अथवा तरीकों में विल तरीकों द्वारा इसकी नियम (जेवर-जनतीहारा, फॉन्चर पाइ) के रूप में प्राप्त तथा राष्ट्र-रखाव में रचनित्र अंशदान से मिल) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकता ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त नाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं. 10067/फा० सं. 197/53/96-आयकर त्रि. 1]
एच०क० चौधरी, अवर सचिव

New Delhi, the 10th April, 1996
(INCOME TAX)

S.O. 371.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Caritas India, New Delhi” for the purpose of the said sub-clause for the assessment years 1992-93 to 1994-95 subjects to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10067/F. No. 197/53/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 10 अप्रैल, 1996

(आयकर)

का०था० 372:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “चैरिटेस इडिया, नई दिल्ली” को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनाये अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी अध्य का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैक्षिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग में नेट-पुस्तकां नहीं रखी जाती हों।

[अधिसूचना सं० 10068/फा०सं० 197/53/96-आयकर नि.-1]
एच०क० चौधरी, अवर सचिव

New Delhi, the 10th April, 1996
(INCOME TAX)

S.O. 372.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Caritas India,

New Delhi” for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10068/F. No. 197/53/96-ITA-II]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 19 अप्रैल, 1996

(आयकर)

का०था० 373:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “हमदर्द दबावाना (वक्फ), नई दिल्ली” को कर-निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त रख-रखाव में स्वैक्षिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अधिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध से अलग से लेखा-पुस्तिकार्य नहीं रखी जाती हो।

[अधिसूचना सं. 10071/फा०सं. 197/133/95-आयकर नि०-1]
एच०क० चौधरी, अव० सचिव

New Delhi, the 10th April, 1996

(INCOME TAX)

S.O. 373.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Hamard Dawakhana (WAKF), New Delhi" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10071] F. No. 197/133]

95-ITA-I

H. K. CHOUDHARY, Under Secy.

मई दिल्ली, 30 अप्रैल, 1996

(आयकर)

का०आ० 374:—आयकर अधिनियम, 1961 (1961 क 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा "रामकृष्ण मठ, ब्रेन्टर, पश्चिम बंगाल" को कर-निधारण वर्ष 1997-98 से 1999-2000 तक के लिए

निम्नलिखित शर्तों के अधीन रहते हुए, उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निधारिति इसकी आय का इस्तेमाल अवधारणा की आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उत्तर उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निधारिति उपर उल्लिखित कर-निधारण वर्षों से मंगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी एक अवधारणा एक से अधिक दो अवधारणार्थीकों द्वारा भिन्न तरीकों से इसको नियंत्रण (जेवर-जवाहिरान, फर्नाचर आदि के रूप में प्राप्त तथा ग्रन्थ-संग्रहालय में स्वीचित अंगदाता द्वारा भिन्न) का नियंत्रण नहीं करेगा अवधारणा उसे जमा नहीं करना मंजुर है;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अधिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकार्य नहीं रखी जाती हो।

[अधिसूचना सं. 10076/फा०सं. 197/12/96-आयकर नि०-1]

एच०क० चौधरी, अव० सचिव

New Delhi, the 30th April, 1996

(INCOME-TAX)

S.O. 374.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Rama Krishna Math, Belur, West Bengal" for the purpose of the said sub-clause for the assessment years 1997-98 to 1999-2000 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10076 F. No. 197/12/96-ITA-I]

H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 6 मई, 1996
(आयकर)

का.आ. 375.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “दि इन्स्टीट्यूट आफ मार्केटिंग एंड मैनेजमेंट, नई दिल्ली” को कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित गतीय के प्रतीत रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के हेतु इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10079/फा.सं. 197/56/96-आयकर नि. I]
एच.के. चौधरी, अवर सचिव

New Delhi, the 6th May 1996
(INCOME-TAX)

S.O. 375.—In exercise of the powers conferred by sub-cause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The Institute of Marketing & Management, New Delhi” for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely:—

- the assessee will apply its income, or accumulate for application, wholly and exclusively the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assess-

ment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

- iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10079/F.No.197/56/96-JTA-I]

H.K. CHOUDARY, Under Secy.

नई दिल्ली, 16 मई, 1996
(आयकर).

का.आ. 376.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “दक्षिणेश्वर रामकृष्ण संघ आद्यपीठ, दक्षिणेश्वर, कलकत्ता” को कर-निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए निम्नलिखित गतीय के अवधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से मंगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा उक्त कर-निर्धारण कारोबार के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10084/फा.सं. 197/91/94-आयकर नि. I]

एच.के. चौधरी, अवर सचिव

New Delhi, the 16th May, 1996

(INCOME-TAX)

S.O.376.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Dakshineswar Ramakrishna Sangha Adyapath, Dakshineswar, Calcutta" for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10084/F. No. 197/91/94-ITA-I]

H.K. CHOUDHARY, Under Secy.

नई दिल्ली, 16 मई, 1996

(आयकर)

का.आ. 377.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "फैमिली प्लैनिंग एसोसिएशन आफ इंडिया, मुम्बई" को कर-नियर्धारण वर्ष 1993-94 से 1995-96 के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (i) कर-नियर्धारिती इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-नियर्धारिती उक्त उल्लिखित वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक हंग अथवा तरोकों में भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार में प्राप्त लाभ तथा अधिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-नियर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 10085/फा. सं. 197/159/94-प्राप्तकर नि. -I]
एच.के. चौधरी, प्रवर सचिव

Now Delhi, the 16th May, 1996

(INCOME-TAX)

S.O. 377.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Family Planning Association of India, Mumbai" for the purpose of the said sub-clause for the assessment years 1993-94 to 1995-96 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10085/F.No. 197/159/94-ITA-I]

H.K. CHOUDHARY, Under Secy.

तई दिल्ली, 15 नवम्बर, 1996

(आधिकर)

का. आ. 378—आधिकर अधिनियम, 1961 (1961 का 43) की धारा 10 के बंड (23-ग) के उपबंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा “मारथोमा सीरियन चर्च आफ मालाबार, तिरुवल्ला, केरल” को कर-निधारण वर्ष 1995-96 से 1997-98 तक के लिये निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपबंड के प्रयोजनार्थ अधिसूचित करती है, अधिकृति :—

- (i) कर-निधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निधारिती उपर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उधारण (5) में विनियोग किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाल में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त नाभ तथा अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अन्य में लेखा पुस्तकार्य नहीं रखी जाती है।

[अधिसूचना सं. 10224/फा. सं. 197/111/96-आधिकर नि.-I]

आणुनोप चन्द्र, उप सचिव

New Delhi, the 15th November, 1996

(INCOME-TAX)

S.O. 378.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Mar Thoma Syrian Church of Malabar, Tiruvalla, Kerala” for the purpose of the said sub-clause for the assessment years 1995-96 to 1997-98 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notificaion No. 10224/F. No. 197/111/96-ITA-II
ASHUTOSH CHANDRA, Dy. Secy.

तई दिल्ली, 20 नवम्बर, 1996

(आधिकर)

का. आ. 379—आधिकर अधिनियम, 1961 (1961 का 43) की धारा 10 के बंड (23-ग) के उपबंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा “श्रीभद्र जगद्गुरु माधवाचार्य मुला महासंस्थान, उत्तरादिमठ, धारवाड़” को कर-निधारण वर्ष 1996-97 से 1998-99 तक के लिये निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपबंड के प्रयोजनार्थ अधिसूचित करती है, अधिकृति :—

- (i) कर-निधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निधारिती उपर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उधारण (5) में विनियोग किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाल में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त नाभ अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिये प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अन्य में लेखा पुस्तकार्य नहीं रखी जाती है।

[अधिसूचना सं. 10228/फा. सं. 197/

143/96-आधिकर नि.-I]

एच.के. चौधरी, अवर सचिव

New Delhi, the 20th November, 1996
(INCOME-TAX)

S.O. 379.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Srimad Jagadguru Madhwacharya Moola Mahasamsthana, Uttaradi Math, Dharwad" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10228/F. No. 197/143/96-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 20 नवम्बर, 1996

(आयकर)

का. आ. 380.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एनदब्ल्यूएसी “रामकृष्ण वेदान्त मठ, कलकत्ता” को करनिधरिण वर्ष 1996-97 से 1998-99 तक के लिये निम्नलिखित घर्तौं के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसंचित करती है, अथवा:—

- (i) करनिधरिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिये इसका संचयन पूर्णतया तथा अनन्ययथा उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) करनिधरिति उपर उल्लिखित करनिधरिण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक इंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि) के रूप में

प्राप्त तथा रख-रखाव में स्वैच्छिक प्रांशवान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिभाव के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधरिति के उद्देश्यों की प्राप्ति के लिये प्राप्तिग्राही नहीं हो तथा ऐसा कारोबार के संबंध में अलग से लेखा पुस्तिकार्य नहीं रखी जाती हो।

[अधिसूचना सं. 10229/फा. सं. 197/129/
95-आयकर नि.-I]
एच. के. चौधरी, अवर सचिव

New Delhi, the 20th November, 1996
(INCOME-TAX)

S.O. 380.—In exercise of the powers conferred by sub-clause (v) of clause (23-C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Ramakrishna Vadanta Math, Calcutta" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10229/F. No. 197/129/95-ITA-I]
H. K. CHOUDHARY, Under Secy.

नई दिल्ली, 1 जनवरी, 1997

(आयकर)

का. आ. 381.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एनडब्ल्यूएसी “द नेशनल राइफल एसोसिएशन आफ इंडिया, दिल्ली” को 1990-91 से 1992-93 तक के करनिधरिण वर्षों के लिये

निम्नलिखित घर्तों पर उक्त खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती उसको आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिये उसका संचयन इस प्रकार के संचयन हेतु उक्त खण्ड (23) द्वारा यथासंशोधित धारा 10 की उपधारा (2) तथा (3) के उपबन्धों के अनुरूप पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिये करेगा, जिनके लिये इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दृश्य अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर अथवा किसी किसी अन्य वस्तु, जिसे उपर्युक्त खण्ड (23) के तीसरे परन्तु के अधीन दोई द्वारा अधिसूचित किया जाये, के रूप में प्राप्त तथा रद्द-रद्दाव में स्वैच्छिक अनुदान से बिन्न) का विवेश नहीं करेगा अथवा उसे जमा नहीं करवा रक्खेगा।
- (iii) कर-निर्धारिती अपने सदस्यों को किसी भी तरीके से अपनी आय के किसी भाग का संवितरण अपने से संचढ़ किसी एसोसिएशन अथवा संस्था को अनुदान के अनावा नहीं करेगा; और
- (iv) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिभाव हों जब तक कि ऐसा कारोबार उक्त कर-निर्धारितों के उद्देश्यों की प्राप्ति के लिये प्राप्तिगिक नहीं हो तथा ऐसे कारोबार के मंबंद में अन्य से नेब्रा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना नं. 10252/फा.सं. 196/7/
94-आयकर नि.-1)]

ए.च.के. चौधरी, अवर सचिव

New Delhi, the 1st January, 1997

(INCOME-TAX)

S.O. 381.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "The National Rifle Association of India, Delhi" for the purpose of the said clause for assess-

ment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-sections (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture or any other article as may be notified by the Board under the third provision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessee will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it, and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10252/F. No. 196/7/94-ITA-I]

H. K. CHOUDHARY, Under Secy.

आवेदन

नई बिल्की, 28 जनवरी, 1997

स्टाम्प

का.आ. 382.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदव्यापार में, हरियाणा टेलीकोम लि., हरियाणा को चार लाख बारह हजार पाँच सौ रु. का समेकित स्टाम्प मूल्क अदा करने की अनुमति प्रदान करती है जो उक्त कम्पनी द्वारा जारी किए जाने वाले 1 से 5,50,000 तक की विविषिष्ट संख्या वाले 100-100 रु. मूल्य के अंकित मूल्य वाले मात्र पाँच करोड़ पचास लाख रुपए मूल्य के सममूल्य वाले मुरक्कत विमोच्य अपरिवर्तनीय अण्णपत्रों पर स्टाम्प मूल्क के कारण प्रभार्य है।

[सं. 3/97-स्टाम्प—फा.सं. 15/15/98-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 28th January, 1997

STAMPS

S.O. 382.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Haryana Telecom Limited, Haryana to pay consolidated stamp duty of rupees four lakhs twelve thousand and five hundred only chargeable on account of stamp duty on 5,50,000 secured redeemable non-convertible debentures bearing distinctive numbers 1 to 5,50,000 of the face value of rupees one hundred each at par of the aggregate value of rupees five crores fifty lakhs only to be issued by the said company.

[No. 3/97 Stamps/F. No. 15/15/96-ST]

S. KUMAR, Under Secy.

कार्यालय आयुक्त, केन्द्रीय उत्पाद शुल्क एवं सीमा शब्दक
इन्दौर, 21 जनवरी, 1997

का.ओ. 383.—श्री दी. डॉ. यादव, अधिकारी, समूह "द" केन्द्रीय उत्पाद शुल्क आयुक्तालय, इन्दौर, निवर्तन आयु ग्राप्त करने पर दिनांक 31-12-96 को अप्राप्त हो में गामकीय सेवा में निवृत्त हुए।

[प. स. II(3) 9-गोप-93]

अशोक कुमार गुप्ता, उप आयुक्त (कार्मिक एवं मर्तकता)

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE
AND CUSTOMS

Indore, the 21st January, 1997

S.O. 383.—Shri B. D. Yadav, Supdt. Central Excise Group 'B' of Indore Commissionerate having attained the age of superannuation retired from Government Service on 31-12-96 in the afternoon.

[F. No. II(3) 9-Con/93]

ASHOK KUMAR GUPTA, Dy. Commissioner (P&V)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 जनवरी, 1997

का.आ. 384.—भारतीय रिजर्व बैंक की संस्तुति पर बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा घोषणा करती है कि पर्याप्त जिला मध्यवर्ती सहकारी बैंक नि., पर्याप्ति (महाराष्ट्र) पर, उक्त अधिनियम की धारा 11 की उपधारा 1 के उपर्यंथ इस अधिसूचना के सरकारी राज्यता में प्रकाशन की तारीख में 31 मार्च, 2000 तक लागू नहीं होंगे।

[का. स. 1(2)/97-ए.सी.]

एस. के. ठाकुर, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th January, 1997

S.O. 384.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to The Parbhani District Central Co-operative Banks Ltd., Parbhani (Maharashtra) from the date of publication of this notification in the Official Gazette to 31st March, 2000.

[F. No. 1(2)/97-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 385.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपकरणों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, श्री एम. ए. सैत महाप्रबंधक, भारतीय रिजर्व बैंक, बैंगलूरु को श्री पी. के. विष्वास के स्थान पर विजया बैंक के निदेशक के रूप में नामित करती है।

[सं. एफ. 9/18/95-बी.ओ. 1(ii)]
के. के. मंगल, अवर सचिव

New Delhi, the 30th January, 1997

S.O. 385.—In exercise of the powers conferred by clause (c) of sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby nominates Shri M. A. Sait, General Manager, Reserve Bank of India, Bangalore as a Director of Vijaya Bank vice Shri P. K. Biswas.

[F. No. 9/18/95-BO.1(ii)]
K. K. MANGAL, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 386.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपकरणों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री जी. पी. मुनिश्वरन, मुख्य महाप्रबंधक, भारतीय रिजर्व बैंक, चेन्नई को श्री सी. हरिकुमार के स्थान पर इण्डियन बैंक के निदेशक के रूप में नामित करती है।

[सं. एफ. 9/18/95-बी.ओ. 1(i)]
के. के. मंगल, अवर सचिव

New Delhi, the 30th January, 1997

S.O. 386.—In exercise of the powers conferred by clause (c) of sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks

(Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri G. P. Maniappa, Chief General Manager, Reserve Bank of India, Chennai as a Director of Indian Bank vice Shri C. Harikumar.

[F. No. 9/18/95-BO.I(i)]
K. K. MANGAL, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का०आ०. 387.—भारतीय रिजर्व बैंक की संस्तुति पर, बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त, शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा घोषणा करती है कि निम्नलिखित बैंकों के मामले में 1995-96 के लिए उनके द्वारा उनके तुलनपत्र तथा लाभ-हार्निं लखे प्रत्येक लेखा परीक्षक को रिपोर्ट मसाचार पत्रों में प्रकाशित करने के संबंध में बैंककारी विनियमन (महकारी ममितियां) नियमावली, 1966 के नियम 10 के माथ पठित उक्त अधिनियम की धारा 31 के उपर्युक्त उम्म पर लागू नहीं होंगे।

1. आदर्श जनता महकारी बैंक निं०, मुम्बई।
2. श्री शारदा सहकारी बैंक निं०, पुणे।
3. विणकर महकारी बैंक निं०, मुम्बई।
4. दि प्रताप को-आपरेटिव बैंक निं०, मुम्बई।
5. अवामी मर्कन्टाइल बो-आपरेटिव बैंक निं०, मुम्बई।
6. फ्रेंड्स को-आपरेटिव बैंक निं०, मुम्बई।

[फा०स० 1(3)/97-ए०सी०]
प्राप्तको० ठाकुर, अवर सचिव

New Delhi, the 30th January, 1997

S.O. 387.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of Reserve Bank of India hereby declares that 10 of the Banking Regulation (Cooperative Societies) Rules, 1966 shall not apply to the undernoted banks insofar as 1966 shall not apply to the undernoted banks insofar as they relate to the publication of their balance sheet and profit and loss account for the years 1995-96 with auditor's report in the newspaper.

1. Adarsh Janta Sahakari Bank Ltd., Mumbai.
2. Shri Sharada Sahakari Bank Ltd., Pune.
3. Vinkar Sahakari Bank Ltd., Mumbai.
4. The Pratap Co-operative Bank Ltd., Mumbai.
5. Awami Mercantile Co-operative Bank Ltd., Mumbai.
6. Friends Co-operative Bank Ltd., Mumbai.

[F. No. 1(3)/97-AC]
S. K. THAKUR, Under Secy.

नई दिल्ली, 31 जनवरी, 1997

का. आ. 388.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, भारतीय रिजर्व बैंक की

सिकारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) (ग) (i) व (ii) के उपर्युक्त बैंक आफ बड़ौदा के अध्यक्ष एवं प्रबंध निदेशक श्री के. कन्नान पर, जहां तक विसा इंटरनेशनल एशिया पर्सिफिक के बोर्ड में उनकी नियुक्ति का संबंध है, लागू नहीं होंगे।

[फा. सं. 20/6/92-बी. ओ. I]
के. के. मंगल, अवर सचिव

New Delhi, the 31st January, 1997

S.O. 388.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Government of India on the recommendations of the Reserve Bank of India, hereby declare that the provisions of sub-section (1)(c)(i) and (ii) of Section 10 of the said Act shall not apply to Shri K. Kannan, Chairman and Managing Director, Bank of Baroda insofar as it relates to his appointment as a director on the Board of Visa International Asia Pacific.

[F. No. 20/6/92-BO-I]
K. K. MANGAL, Under Secy.

नई दिल्ली, 31 जनवरी, 1997

का.आ. 389.—भारतीय रिजर्व बैंक की संस्तुति पर बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, घोषणा करती है कि जिला सहकारी केन्द्रीय बैंक मर्यादित, राजगढ़ (व्यावर) (मध्य प्रदेश) पर, उक्त अधिनियम की धारा 11 की उपधारा 1 के उपर्युक्त इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख से 31 मार्च, 1998 तक लागू नहीं होंगे।

[फा.सं. 1(5)/97-ए.सी०]
प्रा. के. ठाकुर, अवर सचिव

New Delhi, the 31st January, 1997

S.O. 389.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall no apply to the Jila Sahakari Kendriya Bank Mydt. Rajgarh (Byavara) (M.P.) from the date of publication of this notification in the Official Gazette to 31st March, 1998.

[F. No. 1(5)/97-AC]
S. K. THAKUR, Under Secy.

नई दिल्ली, 3 फरवरी, 1997

का०आ० 390:—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड (1) के माथ पर्याप्त बैंककारी कंपनी (उपक्रमों का अंजन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, नीचे दी गई सारणी के कालम (2) में निर्दिष्ट व्यक्तियों को इस सारणी के कालम (3) में निर्दिष्ट व्यक्तियों के स्थान पर कालम (1) में निर्दिष्ट राष्ट्रीयकृत बैंकों के निदेशक नामित करता है:—

सारणी

1	2	3
---	---	---

हाइड्रेन ओवरसीज बैंक	श्री परमजीत मिह उप सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग, (बैंकिंग प्रभाग) नई दिल्ली ।	श्रीमती पी० मोहन द्वारा एस०एन० काल निदेशक वित्त मंत्रालय आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली ।
सिडिकेट बैंक	श्री छी०के० व्यागी उप सचिव वित्त मंत्रालय आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली ।	द्वा० एस०एन० काल निदेशक वित्त मंत्रालय आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली ।
यूको बैंक	श्री वी०बी० व्यास उप सचिव वित्त मंत्रालय आर्थिक कार्य विभाग (बैंकिंग प्रभाग) नई दिल्ली ।	श्री परमजीत मिह

[एफ०स० 9/3/96-श्री०ओ०-I (i)]

के०के० मंगल, अवर सचिव

New Delhi, the 3rd February, 1997.

S.O. 390.—In exercise of the powers conferred by clause (b) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous provisions) Scheme, 1970, the Central Government hereby nominates the persons specified in column (2) of the Table below as Directors of the nationalised banks specified in column

(1) thereof in place of the persons specified in column (3) of the said Table:—

Table

(1)	(2)	(3)
Indian Overseas Bank	Shri Paramji Singh, Smt. P. Mohan Deputy Secretary, Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	
Syndicate Bank	Shri D.K. Tyagi, Dr S.N. Kaul Director, Ministry of Finance, Department of Economic Affairs, Banking Division New Delhi.	
UCO Bank	Shri B.B. Vyas, Shri Paramjit Deputy Secretary, Singh Ministry of Finance, Department of Economic Affairs, Banking Division, New Delhi.	

[F. No. 9/3/96-BO.I(i)
K.K. MANGAL Under Secy.

नई दिल्ली, 3 फरवरी, 1997

का०आ० 391:—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1) के माथ पर्याप्त बैंककारी कंपनी (उपक्रमों का अंजन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3 के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्रीमती पी० मोहन, निदेशक, वित्त मंत्रालय आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली को श्रीमती अरुणा माकन के स्थान पर ऑर्सेंट बैंक ऑफ कार्मस में निदेशक के रूप में नामित करती है।

[स० एफ० 9/3/96-श्री०ओ०I (II)]
के० के० मंगल, अवर सचिव

New Delhi, the 3rd February, 1997

S.O. 391.—In exercise of the powers conferred by clause (b) of sub-section 3 of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of clause 3 of the National Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby nominates Smt. P. Mohan, Director, Ministry of Finance, Department of Economic Affairs, (Banking Division), New Delhi as a Director of Oriental Bank of Commerce vice Smt. Aruna Makhan.

[F. No. 9/3/96-BO. I(ii)]
K. K. MANGAL, Under Secy.

उच्चोग भवानी
(भारी उच्चोग विभाग)
नई दिल्ली, 19 दिसम्बर, 1996

का.आ. 392—सरकारी स्थान (अप्राप्तिकृत अधिकारीयों की बेकब्बती) अधिनियम 1971 (1971 का 40) को धारा 3 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एनडब्ल्यू नोचे दी गई तालिका के कालम (1) में उल्लिखित अधिकारी को जो सरकार के राजपत्रित अधिकारी के समकक्ष स्तर का अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिये सम्बद्ध अधिकारी नियुक्त करती है और यह निर्देश देती है कि उक्त अधिकारी उक्त तालिका के कालम (2) में विनिर्दिष्ट सार्वजनिक परिसरों की श्रेणियों के संबंध में अपनी अधिकार सीमाओं के प्रन्दर उक्त अधिनियम के द्वारा या अधीन संपदा अधिकारियों की प्रदत्त शक्तियों का प्रयोग, और सभी गये कर्तव्यों का पालन करेगा:—

तालिका

अधिकारी का पदनाम	सार्वजनिक परिसरों की श्रेणियां
1	2
महा परियोजना प्रबन्धक (विधिक प्रयोजन) इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लि. द्वारा दिल्ली के राजधानी क्षेत्र, जयपुर, गुण्डांग नोएडा और भारत में स्थित इसके अन्य कार्यालयों तथा परियोजना स्थलों की सीमाओं के भीतर स्थित, कार्यालयों तथा कर्मचारियों के आवासीय प्रयोजनों हेतु, इसके संबंधित अथवा इसके द्वारा पट्टे पर लिये गये मध्ये परिसर।	इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लि. द्वारा दिल्ली के राजधानी क्षेत्र, जयपुर, गुण्डांग नोएडा और भारत में स्थित इसके अन्य कार्यालयों तथा परियोजना स्थलों की सीमाओं के भीतर स्थित, कार्यालयों तथा कर्मचारियों के आवासीय प्रयोजनों हेतु, इसके संबंधित अथवा इसके द्वारा पट्टे पर लिये गये मध्ये परिसर।

[मंख्या 16(24)/94-टी एस डब्ल्यू]
अनुप मुखर्जी, मंत्रकृत सचिव

MINISTRY OF INDUSTRY
(Department of Heavy Industry)
New Delhi, 19th December, 1996

S.O. 392.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Un-authorised Occupants) Act, 1971, (40 of 1971) the Central Government hereby appoints the Officer mentioned in Column (1) of the Table below, being an Officer equivalent to the rank of Gazetted Officer of Government, to be

estate officer for the purpose of the said Act, and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act within the limits of his jurisdiction in respect of the categories of public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer Categories of public premises

1	2
General Project Manager	All premises belonging to or (Legal & Arbitration) Engineering Projects (India) Ltd., Projects (India) Limited for Core, 3, Scopo Complex, its offices and residential purpose of the employees situated within the limits of Capital Territory of Delhi, Jaipur, Gurgaon, Noida and its other offices and Project sites in India..

[No. 16 (24) /94-TSW]
ANUP MUKERJI, Lt. Secy.

नागरिक पूर्ति, उपभोक्ता मामले
और सार्वजनिक वितरण मंत्रालय
नई दिल्ली, 21 जनवरी, 1997

का.आ. 393—केन्द्रीय सरकार, अधिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 3 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इसके द्वारा केन्द्रीय सचिवालय सेवा की श्रीमती पदमा स्वामीनाथन नी वाशदा बाजार आयोग मुंबई के सदस्य के रूप में निर्देश स्तर पर नियुक्त की अवधि को 10 सितम्बर, 1996 के पवाहित से एक वर्ष की अवधि के लिये अथवा अगले आदेशों तक, जो भी पहले हो, बनाते हैं।

[मिसिल संख्या A-12011/03/95-प्रशासन-II]
आर.के. सिंह, अवर सचिव

MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

New Delhi, the 21st January, 1997

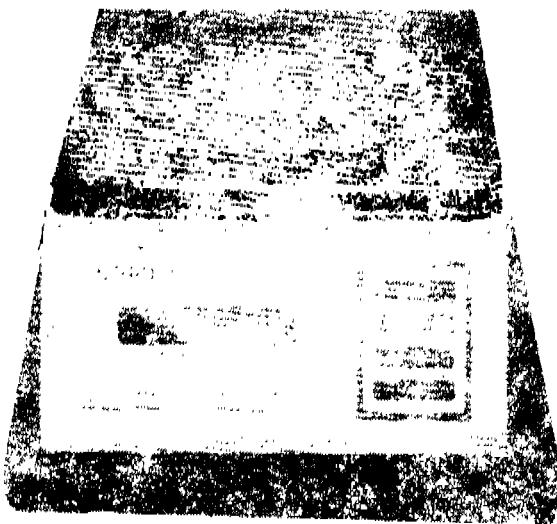
S.O. 393.—In exercise of the powers conferred by sub-section (2) of Section 3 of the Forward Contracts (Regulation) Act, 1952, (74 of 1952), the Central Government hereby extends the appointment of Smt. Padma Swaminathan, CSS as Member of the Forward Markets Commission, Mumbai with effect from the forenoon of 16th September, 1996 at Director level for a period of one year or until further orders, whichever is earlier.

[File No. A-12011/03/95-Estt.II]
R. K. SINGH, Under Secy.

नई घिलाई, 30 जनवरी, 1997

का. घा. 394.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा निर्विदित रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित (नीचे आकृति देखिए) माडल बाट और माप मानक अधिनियम, 1976 (1976 को 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुसूप हैं और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देना रहेगा;

अतः, केन्द्रीय सरकार उक्त अधिनियम, की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए (उच्च यथार्थता) वर्ग II की जी टी ए सिरीज टाप के “गोल्डटक” ब्रांड नाम वाले स्वतः सूचक गैर-स्वचालित टेबल टाप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनिर्माण नैसर्ज प्रेसिन इलेक्ट्रोनिक इंस्ट्रूमेंट कं. 1680, प.म. आई. इ. बहादुरगढ़-380001 हरियाणा राज्य द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.ग.न.डी./09/96/33 समतुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



आकृति

माडल (आकृति देखिए) एक उच्च यथार्थता (यथार्थता वर्ग II) का तोलन उपकरण है जिसकी अधिकतम क्षमता 12 किलोग्राम और न्यूनतम क्षमता 50 ग्राम है। सत्यापन मापमान अंतर (ई) 1 ग्राम है। इसमें एक टेबल युक्ति है जिसका व्यक्तिनामक प्रतिधारण टेपर प्रभाव 100 प्रतिशत है। भारगाड़ी अ.वनाकार सैक्षण का है जिसका आकार 275 × 223 मिलीमीटर है। प्रकाश उत्सर्जन डायोड संप्रदर्शकोल परिणाम उपदर्शित करता है। यह उपकरण 230 वोल्ट, 50 हर्टज के प्रत्यावर्तीधारा विद्युत प्रकाश पर प्रचालित होता है।

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, यह घोषणा करती है माडल के अनुमोदन के इस प्रमाण पत्र के अन्तर्गत उसी विनिर्माता द्वारा उसी मिछान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्माण 1 किलोग्राम/100 मिलीग्राम, 2 किलोग्राम/200 मिलीग्राम, 6 किलोग्राम/500 मिलीग्राम, 24 किलोग्राम/2 ग्राम और 30 किलोग्राम/5 ग्राम की अविकरण क्षमता वाले समृद्ध मैरु, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी है।

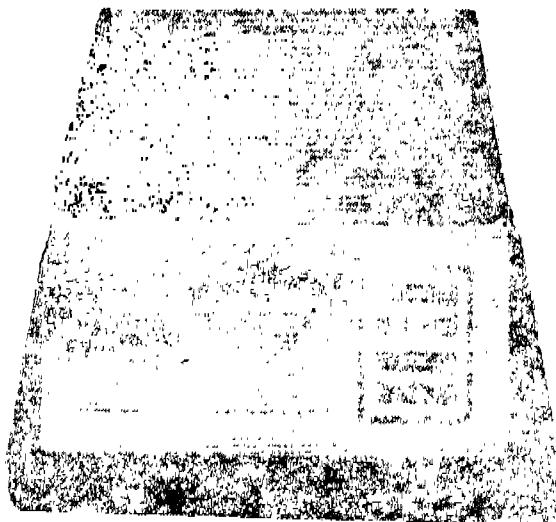
[फा. सं. छन्दू प.म 21 (31)/95]
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, 30th January, 1997

S.O. 394.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (6) of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating non-automatic table top weighing instrument of type GTA series of Class II (High accuracy) with brand name "GOLDTECH" (hereinafter referred to as the model) manufactured by M/s. Precision Electronic Instruments Co., 1680, M.I.E., Bahadurgarh—389 001, State of Haryana and which is assigned the approval mark IND/09/96/33;

The model (see figure) is a high accuracy (accuracy Class II) weighing instrument with a maximum capacity of 12 kg. and minimum capacity of 50 g. The verification scale interval (c) is 1 gram. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of size 275 x 225 millimetres. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



(Figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 1 kg/100 mg, 2 kg/200 mg, 6 kg/500 mg, 24 kg/2 g and 30 kg/5 g. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

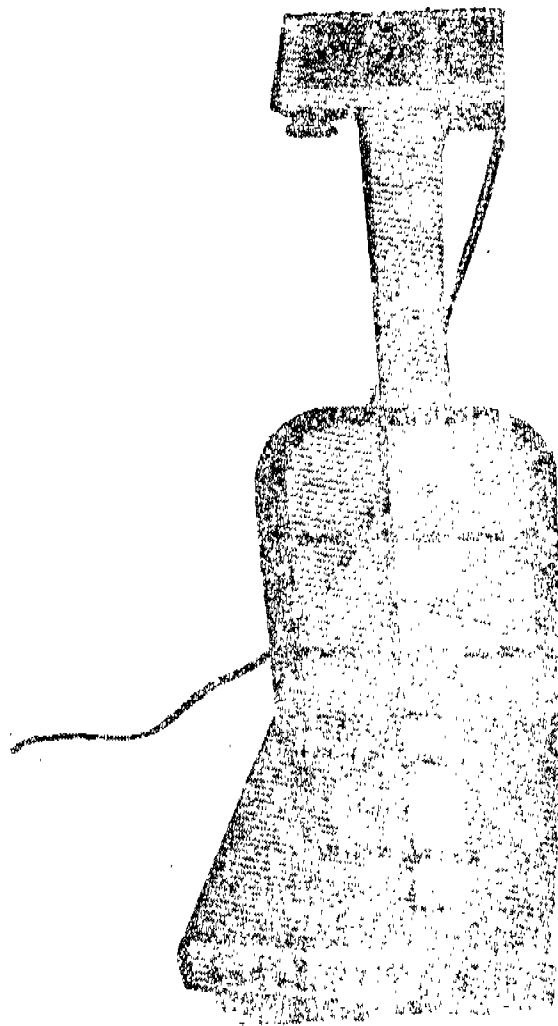
[File No. WM-21(31)/95]
RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 395— केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उत्तम प्रस्तुत कि नई स्प्रिंट (नीबे प्राकृति वेधित) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित भाइल वाट और नाप मानक अधिनियम, 1976 (1976 का 60) और वाट और माप मानक (माडल का अनुनोदन) नियम, 1987 के उपर्योग के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त रूप से रहेगा;

अतः, केन्द्रीय सरकार उक्त अधिनियम की भाग 36 की उपाधि (7) द्वारा प्रवत शक्तियों का प्रयोग करते हुए (उच्च यथार्थ) यां 2 वीं जीटी पी मिसीज टाइट के "गोल्डबैक" ब्रांड नाम बाने रखते सूक्ष्म गैर-स्वचालित प्लेटफार्म तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनियम मैसर्स प्रेसिगेन इलेक्ट्रॉनिक इन्स्ट्रुमेंट्स क., 1680, 266 GI/97—6

प्रम आई ई बडाउर गट-380001 हरियाण राज्य द्वारा फिल भाषा है और जिसे अनुमोदन दिया गया एन.टी./09/96/34 सन्-नुदित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।



(आकृति)

माडल (आकृति देखिए) एक उच्च ग्रामावधि वाली 2 तोला उपकरण है जिसकी प्रत्येक लम्बाई 300 किलोग्राम और लम्बाई कमता 2.5 किलोग्राम है। सत्यापन मापदान अंतर (ई) 50 ग्राम है। इसमें एक देवर युक्त है जिसका आकारनामक प्रतिधारण प्रभाव 100 प्रतिशत है। भारतीय आवधान अंतर 500 × 600 मिलीमीटर है। प्रकाश उत्सर्जन द्वारा छोल सम्बद्ध तोल परिमाण उपर्युक्त करता है। यह उपकरण 230 वार्ड, 50 हूडर के ग्रहावर्ती ग्राम त्रियु ग्राम पर प्रचालित होता है।

आगे, केवल सरकार, उक्त धारा की उपाधि (12) ग्राम वाली ग्रामीण ग्रामों के लिए, यह घोषणा करती है कि माडल के अनुमोदन के दूसरे प्रमाण पत्र के अन्तर्गत उपोक्ति विविधि द्वारा उपोक्ति विविधि के प्राप्ति और उपोक्ति, सामग्री से, जिससे अनुमोदित माडल का विविधि फिल गया है विविधि 60 किलोग्राम/10 ग्राम, 100 किलोग्राम/10 ग्राम 120 किलोग्राम/20 ग्राम, 200 किलोग्राम/20 ग्राम, 500 ग्राम/50 ग्राम, 1000 किलोग्राम/100 ग्राम की अधिकतम कमता वाले समरूप मैक्र, ग्रामावधि और उपोक्ति विविधि के लाई उपकरण वाले तोला उपकरण भी हैं।

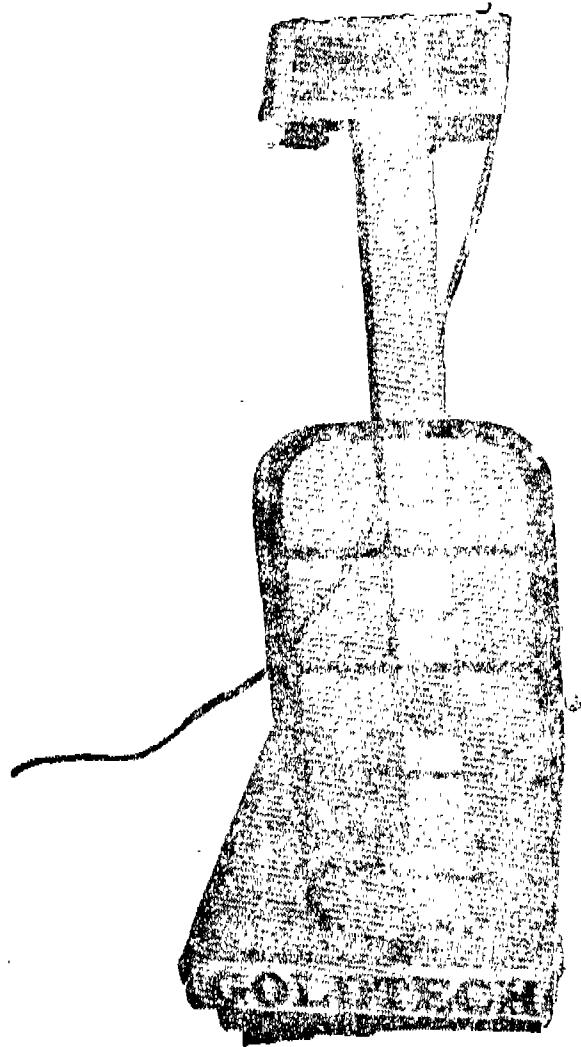
[का. स. अन्यू एम / 21(31)/95]
राजीव थीपलस्त्र, संयुक्त सचिव

Now Delhi, the 30th January, 1997

S.O. 395.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see Figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating non-automatic platform weighing instrument of type GTP series of Class II (high accuracy) with brand name "GOLDTECH" (hereinafter referred to as the model) manufactured by M/s. Precision Electronic Instruments Co., 1630, M.I.E., Bahadurgarh-380 001, State of Haryana and which is assigned the approval mark IND/09/96/34;

The model (see figure) is a high accuracy (accuracy Class II) weighing instrument with a maximum capacity of 300 Kg and minimum capacity of 2.5 Kg. The verification scale interval (ϵ) is 50 gram. It has a tare device with a 100 percent subtractive retained tare offset. The load receptor is of rectangular section of size 500 x 600 millimetres. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



(Figure)

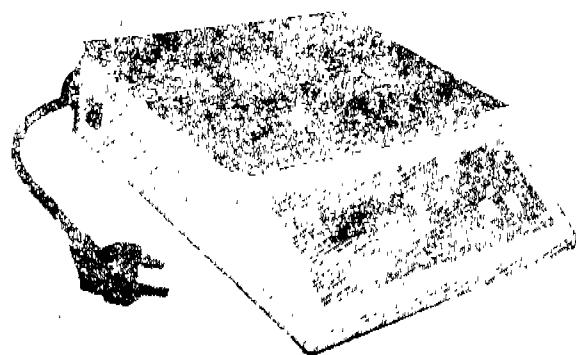
Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 60 kg/10 g, 100 kg/10 g, 120 kg/20 g, 200 kg/20 g, 500 kg/50 g and 1000 Kg/100 g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

नई दिल्ली, 30 जनवरी, 1997

का. आ. 396 :—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखिए) माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा ।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मध्यम यथार्थता वर्ग III की ए. सी. एस. एच. ए.-2.0 भिरीज टाइप के और “एकुरेक्स” ब्रांड नाम वाले स्वतः सूचक गैर-स्वचालित टेब्ल-टाप तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनिर्माण मैसरी एकुरेक्स कंट्रोल सिस्टम, शिल्पा कम्पानी, हावी, मेहसाना-384002 गुजरात द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.जी./09/96/30 समनुचित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है ।

माडल (आकृति देखिए) एक उच्च यथार्थता (यथार्थता वर्ग II) का तोलन उपकरण है जिसकी अधिकतम क्षमता 2 किलोग्राम और न्यूनतम क्षमता 10 ग्राम है । सत्यापन मापमान अंतर (ई) 200 मिलीग्राम है । इसमें एक टेयर सुन्ति है जिसका व्यक्तिगतात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है । भारतीय बग्कार सेक्युरिटी का है जिसका आकार 250×210 मिलीमीटर है । प्राप्त उत्तर्जन डायोड संप्रदर्शन तोल परिणाम उपरोक्त करता है । यह उपकरण 230 वोल्ट, 50 हर्ट्ज के प्रत्यक्षर्ती धारा विद्युत प्रदाय पर प्रचालित होता है ।



आगे, केन्द्रीय सरकार उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के प्रत्यारूप उसी विनिर्माण द्वारा उसी सिद्धान्त डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 100 ग्राम/10 मिलीग्राम, 200 ग्राम/20 मिलीग्राम, 300 ग्राम/50 मिलीग्राम, 550 ग्राम/50 मिलीग्राम, 1 किलोग्राम/100 मिलीग्राम, 5 किलोग्राम/500 मिलीग्राम, 6 किलोग्राम/1 ग्राम, 12 किलोग्राम/1 ग्राम और 20 किलोग्राम/2 ग्राम की अधिकतम क्षमता वाले संगल्ला मैक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी हैं ।

[का. सं. उल्लू एम-21(33)/95]

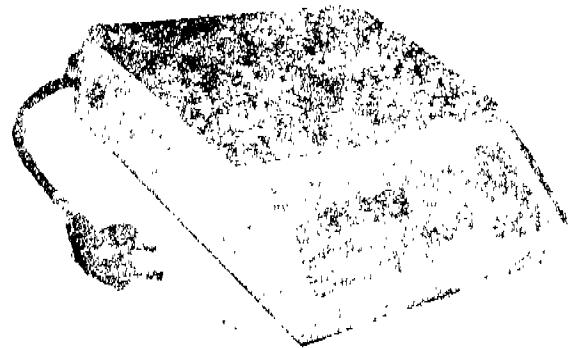
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 30th January, 1997

S.O. 396.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the self-indicating, non-automatic, table-top weighing instrument of type ACS-HA-2.0 series of Class III Medium accuracy and with brand name “ACCU-RAX” (hereinafter referred to as the Model) manufactured by M/s. Accurax Control System, Shilpa Compound, Highway, Mehsana-384002, Gujarat and which is assigned the approval mark IND/09/96/30;

The Model (see figure) is a high accuracy (accuracy Class II) weighing instrument with a maximum capacity of 2 Kg and minimum capacity of 10 g. The verification scale interval (e) is 200 mg. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular section of size 250×210 millimetres. The LED display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity of 100 g/10 mg, 200 g/20 mg, 300 g/50 mg, 550 g/50 mg, 1 kg/100 mg, 5 kg/500 mg, 6 kg/1 kg, 12 kg/1 g and 20 Kg/2 g manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

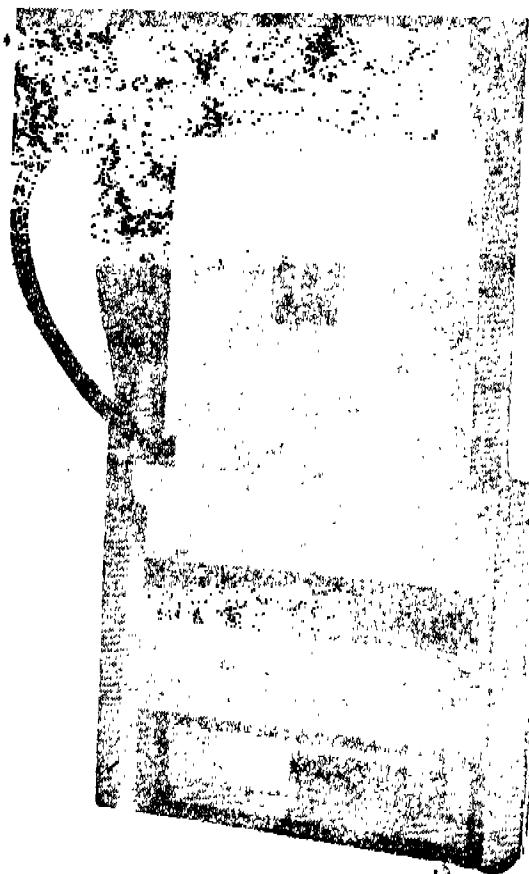
[File No. WM 21(33)/95].

RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 397:—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप भाल्क अधिनियम, 1976 (1976 का 60) और बाट और माप मालक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त शब्दा देता रहेगा,

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इलेक्ट्रॉनिक रजिस्टर समूच्चय वाले और "पेसमेटर IV" ब्रांड नाम के योगक पन्न के गाडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण भैसर्स लारसेन टंब्रो नि. एल एंड टी हाउस, बेलार्ड, इस्टेट, मुम्बई-400008 द्वारा किया गया है और जिसे अनुमोदन चिन्ह आई.एन.डी./09/96/40 गमनुद्दिष्ट किया गया है, अनुमोदन प्रयाण पद प्रकाशित करती है।



माझल (आङ्गति देखिए) एक निम्नलिखित लक्षणों वाला इलेक्ट्रॉनिक रजिस्टर का बेट होज योजक पम्प है :—

मापा जाने वाला उत्पाद	पेट्रोल, शीजल, मिट्टी का तेल और खनिज तास्पीन ।
अधिकतम प्रवाह दर	80 ली./मि.
न्यूनतम प्रवाह दर	10 ली./मि.
पूर्ण प्रवाह दर	1.5 बार अधिकतम
सूचन	अंकीय एल ई डी/एल सी डी 20-25 मि.मी.
सबसे छोटा प्रभाग	10 मि.ली.
अधिकतम सूचन क्षमता	999.99 ली.
20 मीटर से अधिक की समायोजन रेंज	-500 मि.ली. से +100मि.ली.
विद्युत प्रवाह	220 वो. 50 हर्टज

उत्पाद भूमिगत से चूपण एकक के वायु पृथक्कित सेक्षन में पम्प द्वारा छूसा जाता है। वायु मुक्त उत्पाद वाब नियमन वाल्व से होकर मीटरन यूनिट में परिदृष्ट किया जाता है। मीटर चार मापन सिलेंडरों से गिलकर बना है। जैसे ही उत्पाद मीटर से होकर बहता है व्रव मापा मप जाती हैं और घूर्णन के संस्थांक के रूप में निर्गम में उपदर्शित कर दिया जाता है। मीटर से होकर बहते वाले व्रव की मापा को मीटर का निर्गम सापट अनुपात में घुमाता है। ये घूर्णन प्रकाशीय सेवेकों द्वारा संवेदित किए जाते हैं और जमित स्पंद अभिकलन संप्रदर्शन करने के लिए सूक्ष्म-समाधित में भेज दी जाती है। संप्रदर्शन एकक अभिमुक्त मापा दर और बुल विक्रम रकम उपदर्शित कर सकता है। उपभोक्ता के परिदान के लिए व्रव मीटरन एकक से रख़ होज और मोजल समुच्चय से होकर जाता है। माझल का विभिन्न प्रवाह दरों पर और विभिन्न व्रवों के साथ परिवर्तन पेट्रोलियम उत्पादों की प्रबलता के लिए परीक्षण किया गया है।

[फा. सं. डब्ल्यू एम- 21(45)/93]

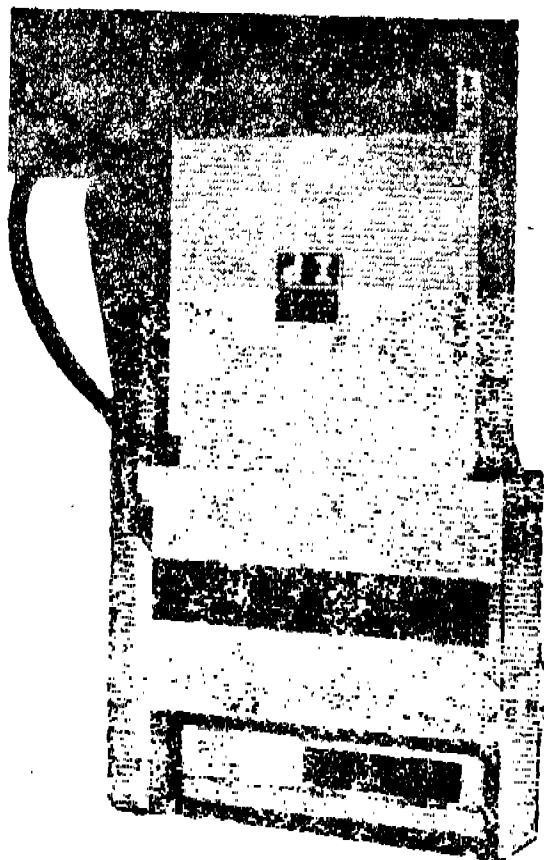
राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 30th January, 1997

S.O. 397.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, (see figure below) is satisfied that the Model described in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of an dispensing pump with electronic register assembly and of brand name "Pacemaker-IV" (hereinafter referred to as the model) manufactured by M/s. Lais

and Toubro Ltd., L&T House, Ballard Estate, Bombay-400 008, and which is assigned the approval mark IND/09/96/40.



The Model (see figure) is a wet hose dispensing pump of electronic register with the following features :—

Product to be measured Petrol, Diesel, Kerosine and Mineral Turpentine.

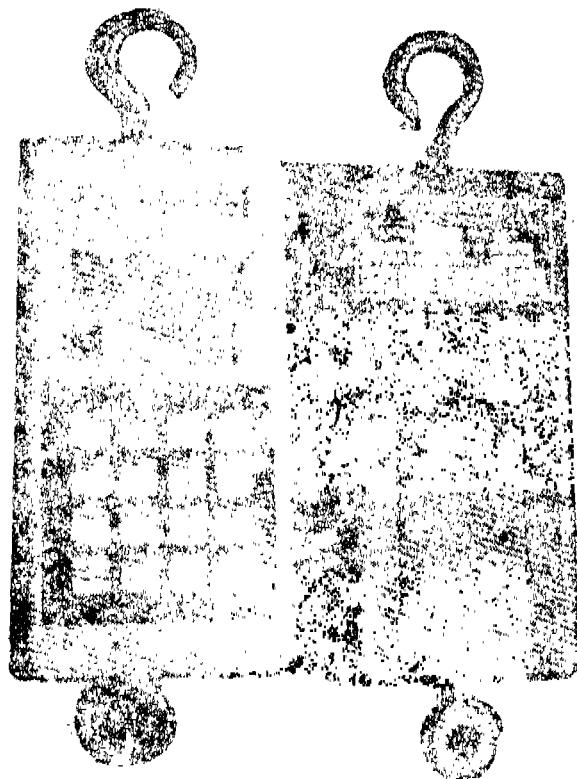
Maximum flow rate	80 l/m.
Minimum flow rate	10 l/m.
Full flow pressure	1.5 bar max.
Indication	digital
Smallest division	LED/LCD 20-25 mm.
Maximum indication capacity	10 ml.
Range of adjustment over 20 litre	999.99 l
Power supply	— 500 ml to + 100.ml
	220 v, 50 Hz.

The product from underground is sucked through pump to the air separator section of the suction unit. Air free product is delivered to the metering unit through pressure regulating valve. The meter consists of four measuring cylinders. As the product flows through the meter, the liquid quantity is measured and is indicated in output as number of revolutions. The output shaft of the meter rotates in proportion to the quantity of liquid flowing through the meter. These revolutions are sensed by optical sensors and the pulses generated are sent to the microprocessor for displaying computation. The display unit can indicate the quantity dispensed, the rate and total sale amount. The liquid from the metering unit passes through the rubber hose and nozzle assembly for delivery to the consumer. The Model has been tested for volume of petroleum products delivered at different flow rates and with different liquids.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 398.—केन्द्रीय सरकार का विद्वित प्राविकारी द्वारा उस प्रस्तुत की गई रिपोर्ट (नीचे आकृति देखिए) पर विचार करने के पश्चात, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपर्योगों के अनुरूप है और इस बात की संशोधना है कि वह तागातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त रोशा देता रहेगा;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सामान्य यथार्थता वर्ग 4 के निर्दिष्ट दायप के “ऐस्लेब” डांड नाम वाले स्वतः सुचक गैर-स्वचालित तोलन उपकरण के माडल का (जिसे इसमें इसके पश्चात माडल कहा गया है) जिसका विनियोग मैसर्स एप्लाइड डाटा लोजिस्ट्स, 18/24, चिनगर, एम एम डी ए केज 2, विलिंग्स कप, चेन्नई 600049 द्वारा किया गया है, और जिसे प्रामोदन विन्ह आई.एन.डी./09/96/43 समनुदिष्ट किया गया है, अनुमोदन प्राप्तान्त्र प्राप्तिशील करती है।



माडल (आकृति देखिए) एक सामान्य यथार्थता (यथार्थता वर्ग 4) का तोलन उपकरण है जिसकी अधिकतम क्षमता 100 किलोग्राम और न्यूनतम क्षमता 1 किलोग्राम है। सत्यापन मापदान अंतर (ई) 100 ग्राम है। इसमें एक टेयर मूल्यित है, जिसका व्यक्तिनामक प्रतिवारण टेयर प्रशाव 100 प्रतिशत है। भार संतुलन के लिए तुला में लगे हुए हुक के माध्यम से प्रयुक्त किया जा सकेगा। प्रकाश उत्तर्जन डायोड (एल एसी डी) संप्रदर्श तोल परिणाम उपर्युक्त करता है। यह उपकरण 6 x 1.5 बोल्ट, बैटरी विद्युत प्रदाय पर प्रचालित होता है।

[फा. सं. डब्ल्यू एम-21(91)/95]
राजीव श्रीवास्तव, प्रांगुल सचिव

New Delhi, the 30th January, 1997

S.O. 398.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic,

suspended type of weighing instrument of Class IV Ordinary accuracy with brand name "EASSYWEIGH", (hereinafter referred to as the Model), manufactured by M/s. Applied Data Logix, 18/24, Thirunagar, MMDA, Phase II, Villivakkam, Chennai-600 049, and which is assigned the approval mark IND/09/96/43;

The Model is a ordinary accuracy (accuracy Class IV) weighing instrument with a maximum capacity of 100 kg and minimum capacity of 1 kg. The verification scale interval (ε) is 100 gram. It has a tare device with a 100 percent subtractive retained tare effect. The load can be applied to the balance through a hook provided in the balance. The LCD display indicates the weighing result. The instrument operates on 6×1.5 volt battery power supply.



[File No. WM 21(91)/95]

RAJIV SRIVASTAVA, Jt. Secy.

मानव संसाधन विकास मंत्रालय

(प्रिक्षा विभाग)

नई दिल्ली, 5 फरवरी, 1997

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

New Delhi, the 5th February, 1997

का०आ० 399:—विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 6 की उपधारा (1) के खंड (ग) के माथ पढ़ी जाने वाली धारा 5 की उपधारा (3) के खंड (ग) के द्वारा प्रबन्ध एकाईयों का प्रयोग करते हुए केन्द्रीय सरकार अवधेश प्रताप सिंह विश्वविद्यालय, मध्य प्रदेश के पूर्व निदेशक प्रो० के०पी० सिंह, जिनका कार्यकाल 1-2-1997 तो समाप्त हो गया है, के स्थान पर डिब्रुगढ़ विश्वविद्यालय के भूतपूर्व कुलपाता प्रो० कमलेश्वर बोरा को विश्वविद्यालय अनुदान आयोग में तीन वर्षों की अवधि के लिए सदस्य के रूप में नियुक्त करती है।

[सं०एफ० 4-4/97-स० I]
नवेद मसूद, संयुक्त सचिव

[No. F. 4-4/97-U.I.]

कोयला मंकालय

शुद्धि पत्र

नई दिल्ली, 28 जनवरी, 1997

का.आ. 400.—भारत के राजपत्र दिनांक 24 अगस्त, 1996 के भाग-II छाँड 3, उपछंड (ii) में पृष्ठ अमांक 3172 से 3175 पर प्रकाशित भारत सरकार के कोयला मंकालय की अधिसूचना का.आ. 2462 दिनांक 19 अगस्त, 1996 में—
पृष्ठ अमांक 3172 पर

(1) अनुसूची में अम संख्या 2 स्तम्भ ग्राम का नाम के नीचे “पटकाखेडी” के स्थान पर “पटकाखेडी” पढ़िए। और जहाँ कहीं यह शब्द प्रयुक्त हुआ हो उसी स्थान पर “पटकाखेडी” पढ़िए।

(2) “ग्राम” “आंगवाड़ा” के स्थान पर “ग्राम आंगवाड़ा” पढ़िए। और जहाँ कहीं पर यह शब्द प्रयुक्त हुआ हो उसी स्थान पर “आंगवाड़ा” पढ़िए।

पृष्ठ अमांक 3173 पर

(3) सीमा वर्णन में रेखा ख-ग में प्लाट संख्या “205/1-205/1” के स्थान पर “205/1-205/2” पढ़िए। और “पटकाखेडी तथा कोटोडी” के स्थान पर “पांडेराखेडी तथा कोटोडी” पढ़िए।

(4) “रेखा ग-घ में” तथा बिन्दु “घ” पर मिलती है। के स्थान पर “तथा कोटोडी तथा यरंडगांव की सम्मिलित ग्राम सीमा के साथ साथ जाती है और बिन्दु “घ” पर मिलती है पढ़िए।

[सं. 43015/6/92-ए.ल.ए.म. डब्ल्यू]

श्रीमती प्रेमलता सैनी, अवर सचिव

MINISTRY OF COAL
CORRIGENDA

New Delhi, the 28th January, 1997

S.O. 400.—In the notification of the Government of India in the Ministry of Coal, No. S.O. 2462 dated the 19th August, 1996, published at pages 3172 to 3175 of the Gazette of India, Part-II, Section-2, Sub section (ii) dated the 24th August, 1996.

At page 3174—in the Schedule, (1) under the heading “Plot numbers acquired in village Kotodi”, in line 1 for “260, 266, 268” read “260, 265”;

(2) under the heading “Boundary description”, in line 6 for “them” read “then”.

[No. 43015/6/92-LSW]
Mrs. P. L. SAINI. Under Secy.

शुद्धि पत्र

नई दिल्ली, 28 जनवरी, 1997

का.आ. 401—भारत के राजपत्र, तारीख 11 मई, 1996 के भाग-2, छाँड-3, उपछंड (ii) में पृष्ठ 1668-1669 पर प्रकाशित भारत सरकार, कोयला मंकालय की अधिसूचना का.आ. 1404 तारीख 24 अप्रैल, 1996 में—

पृष्ठ अमांक 1668, अधिसूचना में,

पंक्ति 4, “17 अप्रैल, 1995” के स्थान पर “17 अप्रैल, 1995” पढ़ें।

तालिका में, क्षेत्र हैम्पटर में स्तम्भ के नीचे,

अम संख्या 2, “127.753” के स्थान पर “128.753” पढ़ें।

ग्राम भलवाही में अर्जित किए गए खसरा संख्यांक (भाग) में,

पंक्ति 3, “270 (भाग), 275 (भाग)” के स्थान पर “270 (भाग), 271 (भाग), 275 (भाग),” पढ़ें।

पंक्ति 4—“327 (भाग), 326 (भाग), 328 (भाग), 330 (भाग),” के स्थान पर “327 (भाग), 328 (भाग), 329 (भाग), 330 (भाग)” पढ़ें।

पृष्ठ अमांक 1669,

ग्राम बरतराई में अर्जित किए गए खसरा संख्यांक (भाग) में,

पंक्ति 6, “490-902” के स्थान पर “490/902” पढ़ें।

सीमा वर्णन में,

रेखा “क-ख” के स्थान पर “रेखा क-ख” पढ़ें।

इ

रेखा—क-ख में,

पंक्ति 1—“ग्राम बलगा और बरतराई” के स्थान पर “ग्राम बलगा और बरतराई” पढ़ें।

[सं. 43015/10/94-ए.ल.ए.म. डब्ल्यू]

श्रीमती प्रेमलता सैनी, अवर सचिव

CORRIGENDA

New Delhi, the 28th January, 1997

S.O. 401.—In the notification of the Government of India in the Ministry of Coal number S.O. 1404, dated the 24th April, 1996, published at pages 1669-1670 of the Gazette of India, Part-II, Section-3, Sub-section (ii) dated the 11th May, 1996.

(a) at page 1669,—

- (i) in column 1, in line 10, for "measurin" read "measuring";
- (ii) in column 2, in line 17, for "Southern Eastern Coalfields Limited" read "South Eastern Coalfields Limited".

(b) at page 1670, in the Schedule,—

- (i) under the column 'Village' against serial number 1, for "Bhalwani" read "Bhalwahi";
- (ii) for "388.77 areas" read "388.77 acres";
- (iii) in Khasra numbers acquired in village Bhalwahi (Part), in column 1, for "103 to 133" read "103 to 138".

[No. 43015/10/94-LSW]

Mrs. P. L. SAINI, Under Secy.

पृष्ठि पत्र

नई दिल्ली, 28 जनवरी, 1997

का.ओ. 402—भारत के राजपत्र भाग II, खंड 3, उपखंड (ii) तारीख 28 सितम्बर, 96 में पृष्ठ संख्या 3739 से 3741 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का. आ. 2733 तारीख 10 सितम्बर, 1996 में—

पृष्ठ 3739, पर अधिसूचना में :—

परिच्छेद 2 में, "अतः अब; कोयला धारक क्षेत्र" के स्थान पर "अतः अब केन्द्रीय सरकार, कोयला धारक क्षेत्र", पढ़िए।

परिच्छेद 3 में—

1. "नागपुर 44001" के स्थान पर "नागपुर 440001" पढ़िए।

2. "या कोयला नियंत्रक, कलैंटर, चन्द्रपुर (महाराष्ट्र) 6, काउन्सिल हाउस स्ट्रीट, कलकत्ता" के स्थान पर "या कलैंटर चन्द्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता" पढ़िए।

पृष्ठ 3740 पर अनुमूली में :—

"पौनी विवृत परियोजना" के स्थान पर "पौनी विवृत परियोजना" पढ़िए।

[सं. 43015/24/95-एल.एस.डब्ल्यू.]

श्रीमती प्रेमलता सैनी, अवर सचिव

CORRIGENDA

New Delhi, the 28th January, 1997

S.O. 402.—In the notification of the Government of India in the Ministry of Coal numbers S.O. 2733 dated the 10th September, 1996 published at pages 3739 to 3741 of the Gazette of India, Part-II, Section 3, Sub-section (ii), dated the 28th September, 1996,—

(a) At page 3740, in lines 10 to 11, for "all maps charts and their documents" read "all maps, charts and other documents";

(b) At page 3741,—

- (i) in line 1, for "SCEDUE" read "SCHEDULE";
- (ii) in the boundary description relating to 'B-C', for "Line passes through village along the" read "Line passes through village Sakri along the".

[No. 43015/24/95-LSW]

Mrs. P. L. SAINI, Under Secy.

आदेश

नई दिल्ली, 28 जनवरी, 1997

का.आ. 403—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा (1) के अधीन निकाली गई भारत सरकार के मंत्रालय की अधिसूचना संख्याक का.आ. 2973, तारीख 18 अक्टूबर, 1994 के भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii), तारीख 29 अक्टूबर, 1994 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुमूली में वर्णित भूमि और भूमि में या उस पर के अधिकार (जिसे इसमें पश्चात उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विलंगमो से मुक्त होकर, आत्यानिक रूप से केन्द्रीय सरकार में निहित हो गए थे।

और, केन्द्रीय सरकार का यह समाधान हो गया है, कि वैस्टर्न कोलफील्ड्स लिमिटेड, नागपुर (जिसे इसमें इसके पश्चात उक्त सरकारी कंपनी गया है,) ऐसे नियमों और शर्तों का, जो केन्द्रीय सरकार इस निमित अधिरोपित करना उचित समझे, अनुपालन करने के लिए रजामंद है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निवेश देती है कि इस प्रकार निहित उक्त भूमि और उक्त भूमि में या उस पर के अधिकार, तारीख 29 अक्टूबर, 1994 से केन्द्रीय सरकार में इस प्रकार निहित रहते की बजाए, निम्नलिखित निवंधनों और शर्तों के अधीन रहते हुए सरकारी कंपनी में निहित हो जाएंगे अर्थातः—

- (1) सरकारी कंपनी, उक्त अधिनियम के उपबंधों के अधीन अवधारित प्रतिकर, व्याज, नुकसानी, और वैसी ही मदों की बाबत किए गए सभी संहायों की केन्द्रीय सरकार का प्रतिपूर्ति करेगी।
- (2) सरकारी कंपनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेश रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, सरकारी कंपनी वहन करेगी और इसी प्रकार, इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जैसे अपील आदि की बाबत उपगत सभी व्यय भी, उक्त सरकारी कंपनी वहन करेगी।
- (3) सरकारी कंपनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या, उस पर के अधिकारों के बारे में केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विशेष किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, धनियों करेगी।
- (4) सरकारी कंपनी को, केन्द्रीय सरकार के अनुमोदन के बिना, उक्त भूमि अधिकार किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और
- (5) सरकारी कंपनी, ऐसे निवेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशेष, क्षेत्रों के लिए दिए जाये या प्रधिरोपित की जाये, पालन करेगी।

[फा. सं. 43015/12/89-एल.एस. अब्ल्यू]

श्रीमती पी.एल. सैनी, अवार सचिव

ORDER

New Delhi, the 28th January, 1997

S.O. 403.—Whereas on the publication of the notification of the Government of India in the Ministry of Coal, number S.O. 2973 dated the 18th October, 1994 in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated the 29th October, 1994 issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the lands and rights in or over the lands as described in the Schedule appended to the said notification (hereinafter referred to as the said lands) vested absolutely in the Central Government free from all encumbrances under sub section (1) of Section 10 of the said Act;

And whereas the Central Government is satisfied that the Western Coalfields Limited, Nagpur (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 11 of the said Act, the Central Government hereby directs that the said lands and rights in or over the said lands so vested shall with effect from the 29th October, 1994 instead of continuing to so vest in the Central Government, in the Government Company, subject to the following terms and conditions, namely :—

1. Government company shall reimburse the Central Government all payments made in respect of compen-

sation, interest, damages and the like, as determined under the provisions of the said Act;

2. Tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the Government Company under condition (1) and all expenditure incurred in connection with any such Tribunal and persons appointed to assist the Tribunal shall be borne by the Government company and, similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc. for or in connection with the rights, in or over the said lands so vesting shall also be borne by the Government Company;
3. Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vesting;
4. Government Company shall have no power to transfer the lands and rights in or over the said lands so vested to any other person without the previous approval of the Central Government; and
5. Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said lands as and when necessary.

[No. 43015/12/89-LSW]

Mrs. P. L. SAINT, Under Secy.

नई दिल्ली, 28 जनवरी, 1997

का.आ. 404:—केन्द्रीय सरकार ने कोयला धारक धोत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत के राजपत्र, भाग-2, खंड-3, उपखंड (ii) तारीख 06-07-96 के अधीन प्रकाशित भारत सरकार के कोयला संबंधित की अधिसूचना संख्यांक का.आ. 1966 तारीख 20 जून, 1996 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट परिक्षेत्र की 48 एकड़ (लगभग) या 19.43 हेक्टेयर (लगभग) माप वाली भूमि का अर्जन करने के अपने आशय की सूचना दी थी।

आंतर उपयुक्त परिक्षेत्र में भूमि के अर्जन करने के लिये कोई आक्षेप प्राप्त नहीं हुआ था।

आंतर केन्द्रीय सरकार को पश्चिम बंगाल सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इसरो संलग्न अनुसूची में वर्णित भूमि की 48.00 एकड़ (लगभग) या 19.43 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जानी है चाहिये।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदस शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 48.00 एकड़ (लगभग) या 19.43 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जाती है।

इस अधिसूचना के ग्रन्तर्गत आने वाले धोत्र के रेखांक का निरीक्षण कलकटर, बर्दवान, पश्चिमी बंगाल के कार्यालय में या कोयला नियंत्रक, 1, कार्डिसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या ईस्टर्न कोलकात्ता टिले, सेक्टोरिया, पी.ओ. विश्वेराम, जिला बर्दवान (पश्चिमी बंगाल) के कार्यालय में किया जा सकता है।

अनुसूची

माध्यमिक कोयला खान

रानीगंज कोयला धोत्र

(रेखांक संख्या प्रम/88, तारीख 21 नवम्बर, 1995)

क्रम सं.	मौजा, ग्राम का नाम	अधिकारिता सूची सं.	पुलिस थाना	जिला	धोत्र एकड़ में	टिप्पणी
1.	माध्यमिक	4	फरीदपुर	बर्दवान	17.00	भाग
2.	भाबूरिया	7	फरीदपुर	बर्दवान	10.50	भाग
3.	देवीपुर	127	बुधराजपुर	धीरभूम	16.00	भाग
4.	पलामडंगा	154	उम्भराजपुर	बीरभूम	4.50	भाग

कुल: 48.00 एकड़ (लगभग)

या

19.43 हेक्टेयर (लगभग)

मौजा माध्यमिक में अर्जित किये जाने वाला प्लाट संख्यांक
2378(पी)

मौजा भाबूरिया में अर्जित किये जाने वाला प्लाट संख्यांक
1384(पी)

मौजा देवीपुर में अर्जित किये जाने वाला प्लाट संख्यांक
556(पी) 557(पी)

मौजा पलामडंगा में अर्जित किये जाने वाला प्लाट संख्यांक
2960(पी)

सीमा वर्णन

क—ख—ग

रेखा "क" बिन्दु से आरंभ होती है और जिला बर्द्धवान (भावरिया, अधिकारिता सूची संख्या 7 और मौजा भधाईपुर अधिकारिता सूची संख्या (4) में अद्योह नदी के दक्षिणी किनारे से होते हुए जाती है तथा "ग" बिन्दु पर मिलती है।

ग—घ

रेखा अदलाई नदी को पार करती है और बर्द्धवान जिला के मौजा देवीपुर अधिकारिता सूची सं. 127 में "घ" बिन्दु पर मिलती है।

घ—झ—च—छ

रेखा, जिला बीरभूम के मौजा देवीपुर और पलासडंगा अधिकारिता सूची सं. 154 से होते हुए जाती है तथा बर्द्धवान जिला के भावरिया मौजा, अधिकारिता सूची सं. 7 के "छ" बिन्दु पर मिलती है।

छ—क

रेखा "छ" बिन्दु से अद्योह नदी को पार करती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/12/93—ए.ल.ए.स.डस्य.]

श्रीमती प्रेमलता सैनी, अवर सचिव

New Delhi, 28th January, 1997

S.O. 404.—Whereas by the notification of the Government of India in the Ministry of Coal Number S.O. 1966, dated the 20th June, 1996 under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India under Part II, Section 3, Sub-section (ii) dated 06-07-1996, the Central Government gave notice of its intention to acquire the lands measuring 48 acres (approximately) or 19.43 hectares (approximately) in the locality specified in the Schedule appended to that notification.

And whereas no objection was made to the acquisition of the lands in the locality aforesaid;

And whereas the Central Government after consulting the Government of West Bengal is satisfied that the lands measuring 48.00 acres (approximately) or 19.43 hectares (approximately) described in the Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 48.00 acres (approximately) or 19.43 hectares (approximately) described in the Schedule appended hereto are hereby acquired.

The plan of the area covered by this notification may be inspected in the office of the Collector, Burdwan, West Bengal or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the Eastern Coalfields Limited, Santonia, Post Office Dighigarh, District Burdwan (West Bengal).

SCHEDULE

MADHAIPUR COLLIERY

RANIGANJ COALFIELDS

(Drawing No. M/88, dated the 21st November, 1995)

Sl. No.	Name of Mouza (Village)	Jurisdiction list number	Police Station	District	Area in acres	Remarks
1.	Madhaipur	4	Faridpur	Burdwan	17.00	Part
2.	Bhaburia	7	Faridpur	Burdwan	10.50	Part
3.	Debipur	127	Dubrajpur	Birbhum	16.00	Part
4.	Palasdanga	154	Dubrajpur	Birbhum	4.50	Part
					Total 48.00 acres (approximately) or 19.43 hectares (approximately)	

Plot number to be acquired in Mouza Madhaipur :

2378 (P).

Plot number to be acquired in Mouza Bhaburia :

1384 (P).

Plot numbers to be acquired in Mouza Debipur :

566 (P), 557 (P).

Plot number to be acquired in Mouza Palasdanga :

2960 (P).

Boundary description :

A—B—C Line starts from point 'A' and passes through Southern Bank of Adjoy river at Burdwan District (Bhaburia, jurisdiction list No. 7 and Madhaipur Mouza, jurisdiction List No. 4) and meets at point 'C'.

C—D Line passes across the Adjoy river and meets at point 'D' at Mouza Debipur, jurisdiction list No. 127 of Birbhum District.

D—E—F—G Line passes through Mouza Debipur and Palasdanga, jurisdiction list No. 154 of Birbhum District and meet at point 'G' at Bhaburia mouza, jurisdiction List No. 7 of Burdwan District.

G—A Line passes across the Adjoy river from point 'G' and meets at starting point 'A'.

[No. 43015/12/93-LSW]

M/s. P. L. SAINI, Under Secy.

नई दिल्ली, 28 जनवरी, 1997

का.पा. 405 ---लेफ्टीन सरठार को नदी प्रतेर होता है जिसने उत्तरी शारूखों में उल्लिखित भूमि में कोयला अभियान किये जाने की संभावना है, अतः यदि केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन श्रीर विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने ग्राम्य की सूचना देती है,

इस अधिसूचना के अन्तर्गत आने वाले रेखांक सं. एस ई सी एल/जी.एम. (पी एल जी) भूमि/176 तारीख 1 नवम्बर, 1996 का निरीक्षण कलकटर, सरगुजा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता-700001 के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-195006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्णिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को, इस अधिसूचना के प्रकाशन की तारीख से नव्वे दिन के भीतर भारतीय अधिकारी/विभागाध्यक्ष (राजस्व) साउथ ईस्टर्न कोलफील्ड्स लिमिटेड सीपत रोड, बिलासपुर-295006 (मध्य प्रदेश) को भेजेंगे।

अनुसूची

बदौली परियोजना

भटगांव क्षेत्र

जिना-सरगुजा (मध्य प्रदेश)

रेखांक सं. एस ई सी एल/जी एम/(पी एल जी)/भूमि/176

तारीख, 01 नवम्बर, 1996

(पूर्वेक्षण के नियंत्रित अधिकृत भूमि दर्शाते हुए)

राजस्व भूमि

क्रम सं.	ग्राम का नाम	ग्राम संख्यांक	तहसील	जिला	हैक्टर में क्षेत्र	टिप्पणियां
1	2	3	4	5	6	7
1.	पिड़ीया	235	सूरजपुर	सरगुजा	320.61	भाग
2.	कल्याणपुर	48	सूरजपुर	सरगुजा	299.94	भाग

1	2	3	4	5	6	7
3.	अखोरा कलां	1	सूरजपुर	सरगुजा	035.25	भाग
4.	रख पुर	439	अम्बिकापुर	सरगुजा	023.87	भाग
5.	घबरी	147	अम्बिकापुर	सरगुजा	028.57	भाग
6.	नर्मदापुर	250	अम्बिकापुर	सरगुजा	015.87	भाग
7.	चिखलाडीह	162	अम्बिकापुर	सरगुजा	118.84	भाग
8.	किशनपुर	68	अम्बिकापुर	सरगुजा	023.50	भाग
9.	कुल्हाड़ी	82	अम्बिकापुर	सरगुजा	151.64	भाग

कुल : 1018.03 हेक्टर (लगभग)

वनभूमि

क्रम सं.	वन का नाम	रेज	डिविजन	ध्वन हेक्टर में	टिप्पणियां
1.	आरक्षित वन	अम्बिकापुर	इश्विन मरगुजा	850.62	भाग

कुल : 850.62 हेक्टर (लगभग)

कुल योग : 1868.65 हेक्टर (लगभग) या
4617.43 एकड़ (लगभग)

सीमा वर्णन

क-च	रेखा पिण्डीया ग्राम में बिन्दु "क" से वारंन होतो ते ग्राम पिण्डीया, किशनपुर, आरक्षित वन, अखोरा कलां से होकर जाती है और बिन्दु "ख" पर मिलती है।
ख-ग	रेखा ग्राम अखोरा कलां, आरक्षित वन रुद्धापुर, घबरी से होकर जाती है और बिन्दु "ग" पर मिलती है।
ग-घ	रेखा ग्राम घबरी, नर्मदापुर, चिखलीडीह, किशनपुर से शोहर जाती है और बिन्दु "घ" पर मिलती है।
घ-क	रेखा ग्राम किशनपुर, कुल्हाड़ी से होकर फिर आरक्षित वन से होकर और पिण्डीया ग्राम से होकर जाती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/14/96-एल. डब्ल्यू.]

श्रीमती प्रेमलता सैनी, अबर सचिव

New Delhi, the 28th January, 1997

S.O. 405.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the Central Government hereby gives notice of its intention to prospect for coal there in.

The plan bearing number SECL/GM(PLG)/LAND/176 dated the 1st November, 1996 of the area covered by this notification can be inspected in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta-700 001 or in the Office of the South Eastern Coalfields Limited (Revenue Department), Seepat Road, Bilaspur-495 006 (Madhya Pradesh).

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur 495006 (Madhya Pradesh) within ninety days from the date of publication of this notification.

SCHEDULE
BADAULI PROJECT
BHATGAON AREA
DISTRICT-SURGUJA (MADHYA PRADESH)

Plan No.: SECL/GM (PLG)/LAND/176
Dated 1st November, 1996.
(Showing land notification for prospecting)

REVENUE LAND

Sl. No.	Name of Village	Village number	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	Pidiya	235	Surajpur	Surguja	320.61	Part
2.	Kalyanpur	48	Surajpur	Surguja	299.94	Part
3.	Akhora Kalan	1	Surajpur	Surguja	035.25	Part
4.	Rukhpur	439	Ambikapur	Surguja	023.81	Part
5.	Ghanghri	147	Ambikapur	Surguja	028.57	Part
6.	Narmadapur	250	Ambikapur	Surguja	015.87	Part
7.	Chikhladiha	162	Ambikapur	Surguja	118.84	Part
8.	Kisunpur	68	Ambikapur	Surguja	023.50	Part
9.	Kulhari	82	Ambikapur	Surguja	151.64	Part
TOTAL : 1018.03 hectares (approximately).						

FOREST LAND

Sl. No.	Name of forest	Range	Division	Area in hectares	Remarks
1.	Reserved forest		Ambikapur	South Surguja	850.62 Part

TOTAL : 850.62 hectares (approximately)

**GRAND TOTAL : 1868.65 hectares (approximately) OR
4617.43 acres (approximately)**

BOUNDARY DESCRIPTION.

A—B Line starts from point 'A' in Village Pidiya and passes through villages Pidiya, Kalyanpur, Reserved Forest, Akhora-Kala and meets at point 'B'.

B—C Line passes through villages Akhora-Kala Reserved Forest, Rukhpur, Ghanghri and meets at point 'C'.

C—D Line passes through villages, Ghanghri, Narmadapur, Chikhladiha, Kisunpur and meets at point 'D'.

D—A Line passes through villages, Kisunpur, Kulhari, then through Reserved Forest, and through village Pidiya and meets the starting point at 'A'.

नहीं दिल्ली, 28 जनवरी, 1997

का. आ. 406.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 वा 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन निकाली गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 82 तारीख 7 जून, 1995 और भारत के राजपत्र, भाग 2, खण्ड-3, उपखण्ड (ii) तारीख 13 जनवरी, 1996 में प्रकाशित द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट परिक्षेत्र में भूमि और अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी। और सर्थक प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दें दी है।

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और महाराष्ट्र सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची खण्ड I और खण्ड II में वर्णित 249.48 हेक्टर (लगभग) या 616.48 एकड़ (लगभग) माप की भूमि और ऐसी भूमि में या उन पर के सभी अधिकार अर्जित किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची खण्ड I और उपखण्ड II में वर्णित 249.48 हेक्टर (लगभग) या 616.48 एकड़ (लगभग) माप की भूमि और ऐसी भूमि में या उन पर के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. सी-1(ई)/III/जेजेआर/602-496 तारीख 19 अप्रैल, 1996 का निरीक्षण कलैक्टर, यवतमाल (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, काउन्सिल हाउस स्ट्रीट, कलकत्ता (पिन-700001) के कार्यालय में या वेस्टर्न कोलफील्ड्स लि. (गजस्व विभाग) कोल इस्टेट, सिविल लाइन, नागपुर-440001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

अनुसूची खण्ड-I

निरगुण परियोजना

वणी क्षेत्र

जिला यवतमाल (महाराष्ट्र)

(रेखांक सं. सी-1(ई)/III जो जे आर/602-496 तारीख 19 अप्रैल, 1996)

सभी अधिकार :

क्रम ग्राम का नाम सं.	पटवारी संकल सं.	तहसील	जिला	हेक्टर में क्षेत्र	टिप्पणियां
1. मंगौली	108	वणी	यवतमाल	157.48	भाग
कुल क्षेत्र :					157.48 हेक्टर (लगभग) या 389.14 एकड़ (लगभग)

ग्राम मंगौली में अर्जित प्लाट संख्यांक :—

23, 24/1—24/1—24/2, 25/1—25/2, 51, 54, 55/1—55/2—55/3, 56/1—56/2, 57 से 59, 60/1—60/2, 64, 65 भाग, 70, 71, 95, 96, 104/1 भाग, 105/बी, 105/सी, 105/2 भाग, 105/3 भाग, 109/1—109/3, 110/1—110/2, 111 से 117, 118/1—118/2, 119 से 121, 122/1—122/2, 123/1—123/2, 124/1—124/2 125 से 129, 130/1—130/2, 131 से 135, 136/1—136/2, 136/3, 137 से 140, 141/1—141/2, 142/1—142/2, 143 से 149, 151, सङ्क।

सीमा वर्णन :

क.—ख रेखा विन्दु “क” से आरम्भ होती है और प्लाट संख्यांक 142/1—142/2, 142, 189 की बाहरी सीमा के साथ ग्राम मंगौली से होकर जाती है तथा विन्दु “ख” पर मिलती है।

ख—ग—घ—इ रेखा प्लाट संख्यांक 149, 151, 126, 119, 118/1—2, 24/1, 24/1क—24/2, 23 की बाहरी सीमा के साथ-साथ ग्राम मुंगोली से होकर जाती है और बिन्दु “इ” पर मिलती है।

इ—च रेखा प्लाट संख्यांक 23, 24/1—24/1क—24/2, 25/1—25/2, 54, 51, 60/1—60/2 की बाहरी सीमा के साथ ग्राम मुंगोली से होकर जाती है और “च” पर मिलती है।

च—ध—ज रेखा प्लाट संख्यांक 95, 65, 64, 71, 70 की बाहरी सीमा के साथ-साथ ग्राम मुंगोली से होकर जाती है और बिन्दु “ज” पर मिलती है।

ज—झ रेखा प्लाट संख्यांक 70, 71, 65 की बाहरी सीमा के साथ-साथ ग्राम मुंगोली से होकर प्लाट संख्यांक 65 में जाती है फिर प्लाट संख्यांक 64, 95, 96, की बाहरी सीमा के साथ-साथ बढ़ती है और प्लाट संख्यांक 104/1 बाहरी सीमा के साथ साथ भागत: जाती है और प्लाट संख्यांक 104/1 से होकर जाती है, तब प्लाट संख्यांक 105/3 की बाहरी सीमा के साथ-साथ भागत: जाती है और प्लाट संख्यांक 105/3 से होकर प्लाट संख्यांक 105/2 में जाती है तब प्लाट संख्यांक 105/1, 109/1—109/2—109/3, 135, 136/3 की बाहरी सीमा के साथ-साथ बढ़ती है और बिन्दु “झ” पर मिलती है।

झ—ञ रेखा मुंगोली और शिवांगी ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है तथा बिन्दु “ञ” पर मिलती है।

ञ—क रेखा प्लाट संख्यांक 140, 142/1—142/2 की बाहरी सीमा के साथ साथ-ग्राम मुंगोली से होकर जाती है और आरम्भिक बिन्दु “क” पर मिलती है।

अनुसूची खंड-II

निशुल्क परियोजना

बणी क्षेत्र

जिला यवतमाल (महाराष्ट्र)

(रेखांक सं. सी. 1 (ई)/III जे जे आर / 602—496 तारीख 19 अप्रैल, 1996)

सभी अधिकार

क्रम संख्यांक	ग्राम का नाम	पटवारी संकिल संख्यांक	तहसील	जिला	हैक्टर में क्षेत्र	टिप्पणियां
1	मुंगोली	108	बणी	यवतमाल	67. 04	भाग
2	माथोली	108	बणी	यवतमाल	24. 96	भाग

कुल क्षेत्र : 92.00 हैक्टर (लगभग)

या

227.34 एकड़ (लगभग)

सभी अधिकार क्षेत्र का योग—खंड I + खंड II =

$$157.48 + 92.00 = 249.48 \text{ हैक्टर (लगभग)}$$

या

$$616.48 \text{ एकड़ (लगभग)}$$

ग्राम मुंगोली में अंजित प्लाट संख्यांक :— 1/1—1/2—1/3—1/4—1/5, 2, 3/1—3/2, 4 से 6, 7/1—7/2 8/1—8/2, 9 से 11, 12/1—12/4—12/2—12/3, 13/1—13/2, 14, 15, 16/1—16/2, 17, 18, 19/1—19/2, 20/1—20/2—20/3—20/4—20/5, 21, 22, 22/1—22/2, 150।

ग्राम माथोली में अर्जित प्लाट संख्याक :— 21/1—21/2, 22 से 24, 25/1—25/2—25/3, 26 से 28, सड़क भाग ।

सीमा वर्णन

१—८ : रेखा बिंदु “क्ष” से आरंभ होती है और वर्धा नदी के दक्षिणी किनारे के साथ-साथ मंगोली और माथोली ग्रामों से होकर जाती है तथा बिंदु “ट” पर मिलती है ।

२—३ : रेखा प्लाट संख्याक 26, 28 की बाहरी सीमा के साथ-साथ ग्राम माथोली से होकर जाती है, सड़क को पार करी है और बिंदु “३” पर मिलती है ।

३—४ : रेखा सड़क की दक्षिणी सीमा के साथ-साथ ग्राम माथोली से होकर जाती है फिर प्लाट संख्याक 22/1—22/2, 21, 18, 17, 4, 3/1—3/2, 2, 1/1—1/2—1/3—1/4—1/5, 150 की बाहरी सीमा के साथ-साथ ग्राम मुंगोली से होकर आगे बढ़ती है और बिंदु “५” पर मिलती है ।

४—५—६ ।

ग—८ : रेखा प्लाट संख्याक 22/1—22/2, 21, 18, 17, 4, 3/1—3/2, 2, 1/1—1/2—1/3—1/4—1/5, 150 की बाहरी सीमा के साथ-साथ ग्राम मंगोली से होकर जाती है और आरंभिक बिंदु “क्ष” पर मिलती है ।

[म. 43015/19/93-एन. एस. डस्ट्यू.]

श्रीमती पी. ए. एल. सैनी, अवर सचिव

New Delhi, 28th January, 1997

S.O. 406.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 82, dated the 7th June, 1995, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii), dated the 13th January, 1996, the Central Government gave notice of its intention to acquire lands and rights in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Maharashtra is satisfied that the lands measuring 249.48 hectares (approximately) or 616.48 acres (approximately) and all rights in or over such lands as described in Scheduled Block-I and Block-II appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 249.48 hectares (approximately) or 616.48 acres (approximately) and all rights in or over such lands as described in Schedule Block-I and Block-II appended hereto are hereby acquired.

The plan bearing No. C1(E)/III/JJR/602-496 dated the 19th April, 1996 of the area covered by this notification may be inspected in the office of the Collector, Yavatmal (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Calcutta (PIN-700001) or in the office of the Western Coalfield Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra).

Schedule Block-I

Nirguda Project

Wani Area

(District Yavatmal Maharashtra)

(Plan No. C1(E)/III/JJR/602-496 dated the 19th April, 1996)

All Rights

Sl. No.	Name of village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1.	Mungoli	108	Wani	Yavatmal	157.48	Part
Total area : 157.48 hectares (approximately) or 389.14 acres (approximately)						

Plot numbers acquired in village Mungoli :

23, 24/1-24/1A-24/2, 25/1-25/2, 51, 54, 55/1-55/2-55/3, 56/1-56/2, 57 to 59, 60/1-60/2, 64, 65 Part, 70, 71, 95, 96, 104/1 Part, 105/1B, 105/1C, 105/2 Part, 105/3 Part, 109/1-109/2-109/3, 110/1-110/2, 111 to 117, 118/1-118/2, 119 to 121, 122/1-122/2, 123/1-123/2, 124/1-124/2, 125 to 129, 130/1-130/2, 131 to 135, 136/1, 136/2, 136/3, 137 to 140, 141/1-141/2, 142/1-142/2, 143 to 149, 151, Road.

Boundary description :

A—B : Line starts from point 'A' and passes through village Mungoli along the outer boundary of plot numbers 142/1 —142/2, 143, 149 and meets at point 'B'.

B—C—D—E : Line passes through village Mungoli along the outer boundary of plot numbers 149, 151, 126, 119, 118/1-2, 24/1-24/1A-24/2, 23 and meets at point 'E'.

E—F : Line passes through village Mungoli along the outer boundary of plot number 23, 24/1-24/1A-24/2, 25/1-25/2, 54, 51, 60/1-60/2 and meets at point 'F'.

F—G—H : Line passes through village Mungoli along the outer boundary of plot numbers 95, 64, 65, 71, 70 and meets at point 'H'.

H—I : Line passes through village Mungoli along the outer boundary of plot numbers 70, 71, 65, in plot number 65, then proceeds along the outer boundary of plot numbers 64, 95, 96, then passes partly along the outer boundary of plot number 104/1, and passes through plot number 104/1, then passes partly along the outer boundary of plot number 105/3 and passes through plot number 105/3, in plot number 105/2, then proceeds along the outer boundary of plot numbers 105/1B, 109/1-109/2-109/3, 135, 136/3 and meets at point 'I'.

I—J : Line passes along the common village boundary of village Mungoli and Shioni and meets at point 'J'.

J—A : Line passes through village Mungoli along the outer boundary of plot numbers 140, 142/1-142/2 and meets at starting point 'A'.

Schedule Block-II

Nirguda Project

Wani Area

District Yavatmal (Maharashtra)

(Plan No. C-1(E)III/JJR/602-496 dated the 19th April, 1996)

All Rights

Sl. No.	Name of village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1.	Mungoli	108	Wani	Yavatmal	67.04	Part
2.	Matholi	108	Wani	Yavatmal	24.96	Part
			Total area : 92.00 hectares (approximately) or 227.34 acres (approximately)			

Total of All Rights area- Block I + Block-II = 157.48 + 92.00 = 249.48 hectares (approximately)

or

616.48 acres (approximately)

Plot numbers acquired in village Mungoli :

1/1-1/2-1/3-1/4-1/5, 2, 3/1-3/2, 4 to 6, 7/1-7/2, 8/1-8/2, 9 to 11, 12/1-12/1A-12/2-12/3, 13/1-13/2, 14, 15, 16/1 16/2, 17, 18, 19/1-19/2, 20/1-20/2-20/3-20/4-20/5, 21, 22/1-22/2, 150.

Plot numbers acquired in village Matholi :

21/1-21/2, 22 to 24, 25/1-25/2-25/3, 26 to 28, Road part.

boundary description :

B—K : Line starts from point 'B' and passes through villages Mungoli and Matholi along the southern bank of Wardha River and meets at point 'K'

K—L : Line passes through village Matholi along the outer boundary of plot numbers 26, 28, crosses road and meets at point 'L'.

L—E : Line passes through village Matholi along the southern boundary of road, then proceeds through village Mungoli along the outer boundary of plot numbers 20/1-20/2 20/3, 20/4 20/5, 22/1-22/2, and meets at point 'E'.

E—D—D1—C—B : Line passes through village Mungoli along the outer boundary of plot numbers 22/1 22/2, 21, 18, 17, 4, 3/1, 3/2, 2, 1/1, 1/2, 1/3, 1/4, 1/5, 150, and meets at starting point 'B'.

[No. 43015/19/93-LSW]

Mrs. P.L. SAINI, Under Secy.

नई दिल्ली, 29 जनवरी, 1997

का. आ. 407 —केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत के गाजपत, भाग 2, बांध 3, उपधारा (ii), तारीख 27 अप्रैल, 1996 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का. आ. 1276, तारीख 11 अप्रैल, 1996 द्वारा उस अधिसूचना से उपावद्ध अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में, जिसका माप 844.98 हेक्टेयर (लगभग) या 2087.64 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आवश्यक मूल्यना दी थी,

अब, केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के भाग में कोयला अभिप्राप्त है,

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त विवितों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 310.75 हेक्टेयर (लगभग) या 767.89 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, बोर करने, उनकी खदाई और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आवश्यक मूल्यना देती है।

टिप्पणी 1:—इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. सी.—1 (i) iii/एफ. अर./ 570—0495, तारीख 18 अप्रैल, 1995 का निगदण कलक्टर, नागपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता—(पिन 700001) के कार्यालय में या उसके कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), कोल इस्टेट, सिविल लाइन्स, नागपुर—440001 के कार्यालय में किया जा सकता है।

टिप्पणी 2:—पूर्वोक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है:—

8 अर्जन की बाबत आपत्तियाँ:—(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना मिलाली गई है, हितयद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण:—इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन मंक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति संभव प्राधिकारी को लिखित रूप में की जाएगी और संभव प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के सम्बन्ध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के सम्बन्ध में आपत्तियों पर अपनी सिफारिशें और उसके द्वारा की गई कार्यवाही के अधिसेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार पर उसके विनिष्टय के लिए देगा।

(3) इस द्वारा के प्रयोजनों के लिए यह व्यक्ति किसी भूमि में हिन्दू दर्शक जाएगा जो प्रतिकर के हित का दावा करने का हक्कार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार उस अधिनियम के अधीन अर्जित कर लिए जाते हैं।

टिप्पणी 3:—केन्द्रीय सरकार ने कोयला नियंत्रक, 1, कार्टिन हाउस स्ट्रीट, कलकत्ता को उक्त अधिनियम के अधीन सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

साधनेर परियोजना फैज 5-1 विस्तार (खान सं. 3)

नागपुर क्षेत्र

जिला नागपुर (महाराष्ट्र)

(रेखांक सं. सी—1(क)iii/पफ. आर./570—0495, तारीख 18 अप्रैल, 1995)

खनन प्रधिकार

क्रम सं.	ग्राम का नाम	पटवारी सर्किल सं.	तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां
1.	दुधाबर्डी	12क	कालमेहर	नागपुर	55.28	भाग
2.	सावंगी	10	सावनेर	नागपुर	174.84	भाग
3.	हेटी	10	सावनेर	नागपुर	24.78	भाग
4.	सावनेर	34	सावनेर	नागपुर	55.85	भाग

कुल क्षेत्र : 310.75 हेक्टर (लगभग)

या

767.89 एकड़ (लगभग)

ग्राम दुधाबर्डी में अर्जित किए जाने वाले प्लाट संख्यांक :—1 भाग, 2 भाग, 3 से 18, 19 भाग, 21 भाग, 22 भाग, 23 भाग, 24, 25, 26/क—26/ख, 27, 28, 29, भाग 31 भाग, सड़क भाग, नाला भाग।

ग्राम सावनेर में अर्जित किए जाने वाले प्लाट संख्यांक :—16 से 24, 51, 54 से 75, 115 भाग, 116, 118 से 122, 126 भाग, 127 भाग, 128, 129 भाग, 130 भाग, 132 भाग, 133 भाग, 139 भाग, 140 से 151 152 क—152 ख, 153, 154 क—154 ख, 155 से 174, 175 क—175 ख, 176 से 200, 201/क—201/ख, 202 से 207, 218/क—218/ख—218/ग—218/घ, 219, 225 से 233, 233, 234/क—234/ख, 235 से 237, 238/क—238/ख, 239 से 258, 260, 261, आवादी, सड़क भाग, नाला भाग, महर भाग।

ग्राम हेटी में अर्जित किए जाने वाले प्लाट संख्यांक :—247 से 253, 254/क—254/ख—254/ग, 255, नाला भाग।

ग्राम सावनेर में अर्जित किए जाने वाले प्लाट संख्यांक :—860 भाग, 861, 862, 863 भाग, 874 भाग, 875 भाग, 876, 877 भाग, 906 भाग, 907 भाग, 931 भाग, 932 भाग, 937 भाग, 938 से 943, 944 भाग, 945 भाग, 946 से 967, 968 भाग, 969, 970 भाग, 971 भाग, 972, 1019, 1020 से 1024, 1147 से 1149 सड़क भाग, नाला भाग।

सीमा वर्णन —

क—ख :

रेखा बिन्दु "क" से आरंभ होती है और ग्राम सावंगी से होकर जाती है, नाला पार करती है और प्लाट सं. 219, 218/क, ख, ग, घ, 225 की बाहरी सीमा के साथ साथ जाती है, सड़क पार करती है, फिर सड़क, आवादी और प्लाट सं. 16 की बाहरी सीमा के साथ-साथ आगे बढ़ती है सड़क पार करती है और प्लाट सं. 24, 23, 22, 56, 54, 51 की बाहरी सीमा के साथ-साथ

जाती है, नाला पार करती है, फिर सावंगी और हेटी, दुधाबर्डी और हेटी ग्रामों की सम्मिलित ग्राम सीमा के साथ साथ आगे बढ़ती है, तब ग्राम दुधाबर्डी से होकर जाती है, नाला पार करती है, और प्लाट सं. 1 में पार करती है, फिर प्लाट सं. 2 से होकर भागतः साथ साथ और भागतः आगे बढ़ती है, और प्लाट सं. 3 की बाहरी सीमा के साथ साथ जाती है, नाला पार करती है, फिर नाले के पूर्वी किनारे के साथ साथ ग्राम हेटी होकर जाती है और प्लाट संख्याक 249, 247, 248, 252, 255, 254क—254ब—254ग की बाहरी सीमा के साथ साथ जाती है, नाला पार करती है, और हेटी और सावनेर ग्रामों की सम्मिलित ग्राम सीमा बिन्दु “ब” पर मिलती है।

ख—ग : रेखा हेटी और सावनेर ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ जाती है, फिर ग्राम सावनेर से होकर आगे बढ़ती है, नाला और सड़क पार करती है, और प्लाट सं. 1019, सड़क की बाहरी सीमा के साथ साथ जाती है तथा बिन्दु “ग” पर मिलती है।

ग—घ : रेखा ग्राम सावनेर से होकर जाती है, सड़क पार करती है और प्लाट सं. 972, 971 की बाहरी सीमा के साथ साथ जाती है तथा बिन्दु “घ” पर मिलती है।

घ—इ—च : रेखा ग्राम सावनेर से होकर जाती है, सड़क पार करती है, फिर प्लाट सं. 860, 863, 874, 875, 877 में आगे बढ़ती है और बिन्दु “च” पर मिलती है।

च—छ—ज : रेखा प्लाट सं. 906, 907, 931, 932, 937, 944, 945 में ग्राम सावनेर से होकर जाती है, फिर प्लाट सं. 29, 31 नं. ग्राम दुधाबर्डी से होकर आगे बढ़ती है और प्लाट सं. 23, 22, 21, 19 में सड़क पार करती है, तब दुधाबर्डी और सावनेर ग्रामों की सम्मिलित ग्राम सीमा के साथ-साथ आगे बढ़ती है और बिन्दु “ज” पर मिलती है।

ज—झ : रेखा सड़क की बाहरी सीमा के साथ-साथ सावंगी से होकर जाती है और बिन्दु “झ” पर मिलती है।

झ—ञ : रेखा प्लाट सं. 115 में ग्राम सावंगी से होकर जाती है, नहर पार करती है, फिर प्लाट सं. 126, 127, 129, 130, 132, 133, 139 में प्लाट सं. 116, 118, 121, 122 की बाहरी सीमा के साथ-साथ आगे बढ़ती है और प्लाट सं. 140, 141 की बाहरी सीमा के साथ साथ जाती है तथा बिन्दु “ञ” पर मिलती है।

झ—ट : रेखा सावंगी और सौनीली ग्रामों की सम्मिलित ग्राम सीमा के साथ साथ जाती है और बिन्दु “ट” पर मिलती है।

ट—क : रेखा सावंगी और कंपटीग्रामों की सम्मिलित ग्राम सीमा के साथ साथ जाती है और प्रारंभिक बिन्दु “क” पर मिलती है।

[सं. 43015/5/96-ए.एस. डब्ल्यू.]
श्रीमती पी. ए.ल. सैनी, अधिकारी सचिव

New Delhi, the 29th January, 1997

S.O. 407.—Whereas by the notification of the Government of India in the Ministry of Coal No. S.O. 1276 dated the 11th April, 1996, published in the Gazette of India, Part-II, Section-3, sub-section (ii) dated the 27th April, 1996 under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government gave notice of its intention to prospect for coal in 844.98 hectares (approximately) or 2087.94 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of said lands,

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 310.75 hectares (approximately) or 767.89 acres (approximately) described in the schedule appended hereto;

Note 1 : The plan, bearing No. C-I(E)III/FR/570-0495 dated the 18th April, 1995 of the area covered by this notification may be inspected in the Office of the Collector, Nagpur (Maharashtra) or in the Office of the Coal

Controller, 1, Council House Street, Calcutta (Pin 700 001) or in the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra).

Note 2 : Attention is hereby invited to the provisions of section 8 of the aforesaid Act, which provides as follows : Objections to Acquisition :

"(8)(1) Any person interested in any land in respect of which a notification under section 7 has been issued may within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation : It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further enquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the division of that Government.

(3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3 : The Coal Controller, 1, Council House Street, Calcutta has been appointed by the Central Government as the competent authority under the Act.

SCHEDULE

Stoner Project Phase I Extension (Mine Number 3)

Nagpur Area

District Nagpur (Maharashtra)

(Plan No. C I(E) III/FR/570-0495 Dated the 18th April, 1995)

Mining Rights

Sl. No.	Name of village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1.	Dudhabardi	12A	Kalmeshwar	Nagpur	55.28	Part
2.	Saongi	10	Saoner	Nagpur	174.84	Part
3.	Heti	10	Saoner	Nagpur	24.78	Part
4.	Stoner	34	Saoner	Nagpur	55.85	Part

Total Area : 310.75 hectares
(approximately)
or
767.89 acres
(approximately)

Plot numbers to be acquired in village Dudhabardi :

1 Part, 2 Part, 3 to 18, 19 Part, 21 Part, 22 Part, 23 Part, 24, 25, 26/A-26/B, 27, 28, 29 Part, 31 Part, Read Part, Nala Part.

Plot numbers to be acquired in village Saongi :

16 to 24, 51, 54 to 75, 115 Part, 116, 118 to 122, 126 Part, 127 Part, 128, 129 Part, 130 Part, 132 Part, 133 Part, 139 Part, 140 to 151, 152A-152B, 153, 154A-154B, 155 to 174, 175A-175B, 176 to 200, 201/A-201/B, 202 to 217, 266 GI/97-9

218/A-218/B-218/C-218/D, 219, 225 to 233, 234A-234/B, 235 to 237, 238/A-238/B, 239 to 258, 260, 261, Abadi, Road Part, Nala Part, Canal Part.

Plot numbers to be acquired in village Heti:

247 to 253, 254/A-254/B-254/C, 255, Nala Part.

Plot numbers to be acquired in village Saoner:

860 Part, 861, 862, 863 Part, 874 Part, 875 Part, 876, 877 Part, 906 Part, 907 Part, 931 Part, 932 Part, 937 Part, 938 to 943, 944 Part, 945 Part, 946 to 967, 968 Part, 969, 970 Part, 971 Part, 972, 1019, 1020 to 1024, 1147 to 1149, Road Part, Nala Part.

Boundary descriptions

A—B

Line starts from point 'A' and passes through village Saongi, crosses nalla and passes along the outer boundary of plot numbers 219, 218/(A—B—C—D,) 225, crosses road, then proceeds along the outer boundary of road, abadi and plot number 16, crosses road and passes along the outer boundary of plot numbers 24, 23, 22, 56, 54, 51, crosses Nala, then proceeds along the common village boundary of villages Saongi and Heti, Dudhabardi and Heti, then passes through village Dudhabardi, crosses Nala and passes in plot number 1, then proceeds partly along and partly through plot number 2, and passes along the outer boundary of plot number 3, crosses Nala, then passes through village Heti, along the eastern bank of Nala and passes along the outer boundary of plot numbers 249, 247, 248, 252, 255, 254A-254B-254C, crosses Nala, and meets on the common village boundary of villages Heti and Saoner at point 'B'.

B—C

Line passes along the common village boundary of villages Heti and Saoner, then proceeds through village Saoner, crosses Nala and road, and passes along the outer boundary of Plot No. 1019, road and meets at point 'C'.

C—D

Line passes through village Saoner, crosses road and passes along the outer boundary of plot numbers 972, 971 and meets at point 'D'.

D—E—F

Line passes through village Saoner in plot numbers 971, 968, 970, crosses road, then proceeds in plot numbers 860, 863, 874, 875, 877 and meets at point 'F'.

F—G—H

Line passes through village Saoner in plot numbers 906, 907, 931, 932, 937, 944, 945, then proceeds through village Dudhabardi in plot numbers 29, 31, crosses road, in plot numbers 23, 22, 21, 19, then proceeds along the common village boundary of villages Dudhabardi and Saongi and meets at point 'H'.

O—I

Line passes through village Saongi along the outer boundary of road and meets at point 'I'.

I—J

Line passes through village Saongi in plot number 115, crosses canal, then proceeds along the outer boundary of plot numbers 116, 118, 121, 122, in plot numbers 126, 127, 129, 130, 132, 133, 139 and passes along the outer boundary of plot numbers 140, 141 and meets at point 'J'.

J—K

Line passes along the common village boundary of villages Saongi and Sonoh and meets at point 'K'.

K—A

Line passes along the common village boundary of villages Saongi and Kamptee and meets at starting point 'A'.

[No. 43015/5/96-LSW]

Mrs. P.L. SAINI, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का. आ. 408:—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायन् अनुसूची में उल्लिखित भूमि में कोयला अभियाप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसके क्षेत्र में कोयले का पूर्वेक्षण करते के अपने ग्राम्य की सूचना देती है;

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. राजस्व/12/96, तारीख 23 मई, 1996 का निरीक्षण मेन्टल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाउस, रांची के कार्यालय में या कोयला नियंत्रक, 1, काउसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या उपर्युक्त, हजारीबाग (बिहार) के कार्यालय में किया जा सकता है।

इस अधिसूचना के अधीन आने वाली भूमि में हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नामों, नार्थ कर्णपुरा को, इस अधिसूचना के प्रकाशन की तारीख से तब्दी दिन के भीतर भारतीय अधिकारी विभागाध्यक्ष (राजस्व), मेन्टल कोलफील्ड लिमिटेड, दरभंगा हाउस, रांची (बिहार) को भेजेगे।

अनुसूची

मोटरा और गोडलपुरा ब्लॉक

नार्थ कर्णपुरा कोलफील्ड

जिला—हजारीबाग

(पूर्वेक्षण के लिए अधिसूचित भूमि दर्शाते हुए)

क्रम सं.	ग्राम	थाना	थाना सं.	जिला	क्षेत्र एकड़ में	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	मोटरा	बड़कागांव	139	हजारीबाग	380.00	153.85	भाग
2.	हाहे	बड़कागांव	140	हजारीबाग	430.00	174.09	भाग
3.	गोडलपुरा	बड़कागांव	142	हजारीबाग	430.00	174.09	भाग
4.	रुडी	बड़कागांव	143	हजारीबाग	155.00	62.75	भाग
5.	गली	बड़कागांव	144	हजारीबाग	1060.00	429.15	भाग
6.	बलोदर	बड़कागांव	145	हजारीबाग	950.00	384.62	भाग
7.	जोराकथा	बड़कागांव	146	हजारीबाग	65.00	26.32	भाग
8.	चापड़ी	बड़कागांव	147	हजारीबाग	75.00	30.35	भाग
कुल क्षेत्र :					3545.00 एकड़ (लगभग)		
या					1435.22 हेक्टेयर (लगभग)		

सीमा वर्णन :

क—ख : रेखा ग्राम मोटरा से होकर जाती है, फिर मोटरा और हाहे, हाहे और फस्तारिया, फस्तारिया और गोडलपुरा ग्रामों की भाग सम्मिलित सीमा के साथ-साथ जाती है (जो अधिसूचना के लिए प्रसंस्कृत कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 4 (1) के अधीन होहारो ब्लॉक के साथ सम्मिलित सीमा बनाता है) और बिन्दु “ख” पर मिलती है।

ख—ग : रेखा गोडलपुरा, रुडी और चापड़ी ग्रामों से होकर जाती है और बिन्दु “ग” पर मिलती है।

ग—घ : रेखा चापड़ी, गली, जोराकथा, गली और बलोदर ग्रामों से होकर जाती है और बिन्दु “घ” पर मिलती है।

घ—क : रेखा बलोदर, हाहे और मोटरा ग्रामों से होकर जाती है और आरंभिक बिन्दु “क” पर मिलती है।

New Delhi, the 30th January, 1997

S.O. 408.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the schedule hereto annexed;

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan No. Rev/12/96 dated the 23rd May 1996, of the area covered by this Notification can be inspected at the Office of the Central Coalfields Limited (Revenue Section) Darbhanga House, Ranchi or at the Office of the Coal Controller, 1, Council House Street, Calcutta or at the Office of the Deputy Commissioner, Hazaribagh (Bihar).

All persons interested in the land covered by this Notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Office-in-Charge/Head of Department (Revenue), Central Coalfields Limited, Darbhanga House, Ranchi within ninety days from the date of publication of this Notification.

SCHEDULE
MOTRA AND GONDALPURA BLOCKS
NORTH KARANPURA COALFIELD
DSITRICT HAZARIBAGH

(Showing land notified for prospecting)

Sl. No.	Village	Thana	Thana No.	District	Area in acre	Area in hectare	Remarks
1.	Motra	Barkagaon	139	Hazaribagh	380.00	153.85	Part
2.	Hahe	Barkagaon	140	Hazaribagh	430.00	174.09	Part
3.	Gondalpura	Barkagaon	142	Hazaribagh	430.00	174.09	Part
4.	Rudi	Barkagaon	143	Hazaribagh	155.00	62.75	Part
5.	Gali	Barkagaon	144	Hazaribagh	1060.00	429.15	Part
6.	Balodar	Barkagaon	145	Hazaribagh	950.00	384.62	Part
7.	Jorakatha	Barkagaon	146	Hazaribagh	65.00	26.32	Part
8.	Chapri	Barkagaon	147	Hazaribagh	75.00	30.35	Part

Total

Total Area : 3545.00 acres (approximately)
or 1435.22 hectares (approximately)

BOUNDARY DESCRIPTION :

Line passes through village Motra, then along the part common boundary of villages Motra and Hahe, Hahe and Phruaria, Phruaria and Gondalpura (which form common boundary with Hahero Block U/s 4(1) of the Coal Bearing Areas (Acquisition and Development) Act, 1957 processed for notification) and meets at point 'B'.

B—C

Line passes through villages Gondapura, Rudi and Chapri and meets at point 'C'.

C—D

Line passes through villages Chapri, Gali, Jorakatha, Gali and Balodar and meets at point 'D'.

D—A

Line passes through villages Balodar, Hahe and Motra and meets at starting point 'A'.

[No. 43015/11/96-LW]

Mrs. P.L. SAINI, (Under Secy.)

का. आ. 409.—केन्द्रीय सरकार तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा (3) की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सचिव (रसायन और पेट्रोरसायन) श्री एन. बारे. बनर्जी को तत्काल प्रभाव से और 2 वर्ष से अनधिक अवधि के लिए अगले आदेश जारी होने तक तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[संख्या जी-35012/3/92-वित्त-II]
टी.एस. बालसुब्रमण्यन, उप सचिव (वित्त)

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 4th November, 1996

S.O. 409.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 3 of Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints, with immediate effect and for a period not exceeding two years, Shri N. R. Banerji, Secretary (Chemicals and Petrochemicals), as a Member of the Oil Industry Development Board until further orders.

[No. G-35012/3/92-Fin.II]

T. S. BALASUBRAMANIAN, Dy. Secy. (Finance)

तर्ह दिल्ली, 14 जनवरी, 1997

का. आ. 410.—केन्द्रीय सरकार तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उपधारा (3) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पेट्रोलियम और प्राकृतिक गैस मन्त्रालय में संयुक्त सचिव और वित्त सलाहकार श्री रवि सक्सेना को तत्काल प्रभाव से और 2 वर्ष से अनधिक अवधि के लिए अगले आदेश जारी होने तक तेल उद्योग विकास बोर्ड के सदस्य के रूप में नियुक्त करती है।

[संख्या जी-35012/3/92-वित्त-II]
टी.एस. बालसुब्रमण्यन उप सचिव (वित्त)

New Delhi, the 14th January, 1997

S.O. 410.—In exercise of the powers conferred by Clause (b) of sub-section (3) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints, with immediate effect and for a period not exceeding two years, Shri Ravi Saxena, Joint Secretary and Financial Adviser, Ministry of Petroleum and Natural Gas, as a Member of the Oil Industry Development Board until further orders.

[No. G-35012/3/92-Fin.II]

T. S. BALASUBRAMANIAN, Dy. Secy. (Finance)

तर्ह दिल्ली, 29 जनवरी, 1997

का. आ. 411.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह शावश्यक है कि

पुनासन जी.जी. एस. से विमल आंयल गुजरात राज्य तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अर्थात् आप इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

चूंकि यह प्रतोत हाता है कि ऐसी लाइन को बिछाने के प्रयोगन के लिए एतत्पावद अनुमति में वर्णित भूमि में उपयोग का अधिकार अर्जित करता ग्रावश्यरु है।

अतः, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय प्रस्तुत बोर्ड करती है।

वराते कि उक्त भूमि में हितबद्ध कोई अक्षित उम भूमि के नीचे पाइपलाइन बिछाने के लिए प्राप्त सक्षम प्राधिकारी, गैस अर्थात् आप इंडिया लिमिटेड, बडोदा (गुजरात को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर अक्षित विनिविष्ट: यह भी कथन करेगा कि क्या यह चाहता है कि उसकी सुनवाई अक्षितगत हो या किसी विधि व्यवसायी की मार्फत।

राज्य :	जिला : मेहसाणा	तालुका :
गुजरात	मेहसाणा	
गांव	त्रम सं.	क्षेत्र
	दलाक नं.	
हेयुआ	हेक्टेएक्र	आरे सेटीएक्र
	116	00
		05
		33

[सं. एन-14016/02/96-जीपी]
अर्थव्यवस्था सेत, निवेशक

New Delhi, the 29th January, 1997

S.O. 411.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Punasan GGS to Vimal Oil in Gujarat State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Baroda (Gujarat).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

GAS AUTHORITY OF INDIA LTD.

BARODA

SCHEDULE

PUNSAN G.G.S. TO VINAL OIL

STATE : GUJARAT[TAL : MEHSANA DIST. MEHSANA

VILLAGE	Survey No./ Block No.	AREA OF Hectare	R.O.U. Arc	Centiare
HEBUVA	116	—00	—05	33

[No. L-14016/02/96-GP]
ARDIENU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 412—पैट्रोलियम एवं खनिज पाइपलाईन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 की धारा 17 के अधीन बनाये गये पैट्रोलियम एवं खनिज पाइपलाईन (भूमि के प्रयोग के अधिकार का अर्जन) नियमावली 1963 के नियम 1 के नीचे दिये गये स्पष्टीकरण के प्रावधानों के अन्तर्गत मै.एम. एम. आहुजा, मधम प्राधिकारी, गैस अग्निश्ची आफ इंडिया लिमिटेड यू.पी.०.पी.०. सी.०. पाता जिसमें भूमि के उपयोग का अधिकार निहित हो चका है अथवा उस क्षेत्र को पाइपलाईन का स्वामित्व जिसमें निहित है जैसा भीटों की परामर्श से एन्ड्राइग निम्नलिखित अनुसूची के सम्म 7 में दर्शायी गयी तिथि से गैस पाइपलाईन बिछाने के कार्य की समाप्ति की घोषणा करता हूँ।

अनुसूची

क्रमांक	पाइपलाईन का नाम	ग्राम का नाम	जिले का नाम	धारा (1) के अधीन विशेष	का.आ. नम्बर	कार्य समाप्ति नोंपाणा की तिथि
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	फीड गैस पाइपलाईन कम्प्रेसर स्टेशन विक्रियापुर से यू.पी.पी. सी. पाता	(i) खानपुर फकूद	इटावा	10-6-95	1592	30-9-96
तर्दैव		(ii) परवाहा	इटावा	10-6-95	1593	30-9-96
तर्दैव				3-8-96	2285	30-9-96
तर्दैव		(iii) वैसुन्धरा	इटावा	10-6-95	1594	30-9-96
तर्दैव		(iv) सेहुद	इटावा	10-6-95	1595	30-9-96

[संख्या एल-14016 11/93-जी.पी.]

अर्द्धन्यु सेत, निदेशक

New Delhi, the 29th January, 1997

S.O. 412 : —In Pursuance of Provision of Rule 4 under explanation of the Petroleum Pipeline (Acquisition of Right of User in land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act 1962 I, S.S. Ahuja, Competent Authority in consultation with the Gas Authority of India Ltd. UPPC, Pata with whom the right of user in the land in the area has vested or ownership of the pipeline in that area vest as the case may be

hereby declare the date of termination of laying of gas pipeline as mentioned in column 7 of the schedule mentioned below :

SCHEDULE

Sl. No.	Name of the P/L	Name of the Village	Distt.	Date of publication under section 6(i)	SO. No.	Dt. of termination of operation
1	2	3	4	5	6	7
I.	Feed Gas Pipe line from Comp. Stn. Dibiyapur to UPPC Pata.	(i) Khanpur Phaphund (ii) Parwaha (iii) Vaisundhra (iv) Sehud	Etawah	10-06-95 10-06-95 03-08-96 10-06-95 10-06-95	1592 1593 2285 1594 1595	30-9-96 30-9-96 30-9-96 30-9-96 30-9-96

[No. L-14016/11/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

अनुसूची

गांव : सिंहोली तहसील बमेडी जिला धौलपुर ।

क्षेत्रफल

खसरा नम्बर	क्षेत्रे	प्रेयर	वर्ग मी.
109	—	18	90
115	—	12	90
116	—	01	20
119	—	12	60
120	—	05	10
123	—	15	60
176	—	03	00
183	—	01	80
198	—	01	50
395	—	05	10
429	—	00	90

योग-11 — 78 60

[स. एन-14016/6/94-जीपी]

श्रद्धेश्वर सेन, निदेशक

बताते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उन भूमि के नीचे पाइपलाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी गैस अर्थार्टी आफ इंडिया लिमिटेड 30 छप्पा नगर, भरतपुर को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसारी की मार्फत ।

New Delhi, the 29th January, 1997

S.O. 413.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum and Natural Gas from Bijaipur to

Dadri (HBJ Upgradation P/L Projects in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd.

And Whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section(1) of the section 3 of the Petroleum and Minerals pipelines(Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent Authority, Gas Authority of India Ltd, 30 Krishna Nagar, Bharat Pur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Village : Siholi Tehsil Baseri Distt. Dholpur

Khasra No.	Area		
	Hact.	Ayer	SqM
109	—	18	90
115	—	12	90
116	—	01	20
119	—	12	60
120	—	05	10
123	—	15	60
176	—	03	00
183	—	01	80
198	—	01	50
395	—	05	10
429	—	00	90
TOTAL—11	—	78	60

[No.L-14016/6/94-GP]
ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का. आ. 414.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि बिजयपुर से बादरी (एच.बी.जे. अपग्रेडेशन पाइपलाइन परियोजना) राजस्थान राज्य में पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अर्थाँर्टी आफ इंडिया लिमिटेड द्वारा बिल्डर्ड जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिलाने के प्रयोजन के लिए एतमुपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः यब पेट्रोलियम और बनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतदारा घोषित करती है।

ब्राह्मी कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिलाने के लिए आक्षेप समझ प्राप्त करी, गैस अर्थाँर्टी आफ इंडिया लिमिटेड 30 कृष्णा नगर, भरतपुर को इस अधिमूलन की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति बिनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गांव : नोहरदा तहसील रुपवास जिला भरतपुर

क्षेत्रफल

खसरा नम्बर	हेक्टे.	ग्रे.यर	बर्ग मी.
774/139	—	12	00
695/112	—	08	00
योग — 2	—	20	00

[सं. एल-14016/6/94-जीपी]

अध्येत्व सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 414.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bijaipur to Dadri HBJ upgradation P/L Project in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of pipeline under the land to the Competent Authority, Gas Authority of India Ltd., 30 Krishna Nagar, Bhatarpur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Village : Noharda	Tehsil Roopwas	Distt. Bharatpur	Area		
Khasra No.			Hect	Ayer	Sqm
774/139			—	12	00
695/112			—	08	00
	Total—2		—	20	00

[No. L-14016/6/94-GP]
ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 415—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि (विजयपुर से दादरी) एच.बी.जे. अपग्रेडेसन पाइपलाईन परियोजना) राजस्थान राज्य में पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाईन गैस अर्थार्टी ऑफ इंडिया लिमिटेड द्वारा बिलाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिलाने के प्रयोजन के लिए एन्डपीवद्व अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपवा भाश्य एतद्वारा घोषित करती है।

ध्यात्वा कि उक्त भूमि में हितवद्व कोई बिलान उस भूमि के नीचे पाइपलाईन बिलाने के लिए आवश्यक समझ प्राधिकारी गैस अर्थार्टी ऑफ इंडिया लिमिटेड 30 कृष्णा नगर, भरतपुर को इस प्रविस्तरा की तारीख से 21 दिन के भीतर कर सकता।

और ऐसा आवश्यक करने वाला हर व्यक्ति विनिविष्टः यह भी क्यन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

गांव : बिलानी तहसील भरतपुर जिला भरतपुर।

छोड़फल

खसरा नम्बर	हैक्टे.	ऐयर	वर्ग मी.
2	—	01	40
14	—	00	30
24	—	00	50
30	—	00	20
योग	—	2	40

[सं. एल-14016/6/94-बीपी]

अर्थोन्नु सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 415.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bijaipur to Dadri HBJ upgradation P/L Project in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, Therefore, in exercise of the powers conferred by subsection(1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., 30 Krishna Nagar, Bharatpur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Village Bilothi	Tehsil Bharatpur	Distt. Bharatpur	Area		
Khasra No.			Hect.	Ayer	SqM
2			—	01	.40
14			—	00	.30
24			—	00	.50
30			—	00	.20
	Total 4		—	2	.40

[No. L-14016/6/94-GP]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 416.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि विजयपुर से दादरी (एच.बी.जे. अपग्रेडेसन पाइप लाइन परियोजना) राजस्थान राज्य में पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाईन गैस अर्थार्टी ऑफ इंडिया लिमिटेड द्वारा बिलाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिलाने के प्रयोजन के लिए एन्डपीवद्व अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपवा भाश्य एतद्वारा घोषित करती है।

बलते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आवेदन सम्मान प्राधिकारी गैस अर्थात् आप इंडिया लिमिटेड 30 कृष्णा नगर भरतपुर को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आवेदन करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह आहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

गांव : रारह

ताल्सील : कुम्हेर

जिला : भरतपुर

खसरा नम्बर

क्षेत्रफल

	हेक्टेड	एयर	कर्गमी
3052	--	00 . 40	
3073	--	01 . 80	
गोग :		2 . 20	

[सं० एल०-14016/6/94-जी०पी०]
अर्धेन्दु सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 416.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bijaipur to Dadri (H B J Upgradation P/L Project) in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd;

AND Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India Ltd. 30, Krishna Nagar Bharatpur;

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Village : Rarah Tehsil : Kumber Distt : Bharatpur

Khara No.	Area		
	Hec t.	Ayer	Sn.
3052		00 .	40
3073		01 .	80
TOTAL		2 .	20

[No. L-14016/6/94-GPI]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का०आ० 417. --कुकि दंदिल सरकार को यह प्रतीत होता है कि जलहिन में यह आवश्यक है कि विजयपुर से दादरी (एच०वी०ज० आप्रेडेशन पाइपलाइन लिंग्योजना) राजस्थान राज्य में तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अर्थात् आप इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और नूकि यह प्रतीत हीता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए प्रदूषक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

आ. अब, पेट्रोलियम और जनिज पाइपलाइन (पूर्व में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केवल सरकार उसमें उपयोग का अधिकार अंजित करने का यत्ना आंशिक एवं द्वारा धोपित करती है।

बलते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, जो वृक्ष के नीचे पाइपलाइन बिछाने के लिए आवेदन सम्मान प्राधिकारी गैस अर्थात् आप इंडिया लिमिटेड 30 कृष्णा नगर, भरतपुर, को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आवेदन करने पाना हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह आहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

ग्राम का नाम :—बजेरा तहसील व जिला :—भरतपुर विजयपुर-दादरी एच०बी०जे० अप्रेडेशन गैस पाइप लाइन

ग्राम का नाम	बसरा नम्बर	क्षेत्रफल		
		हेक्टेर	एकड़	वर्ग मीटर
बजेरा	568	—	2	80
		—	—	—
	*	1	2	80

[सं० एल०-14016/6/94-जी०पी०]
प्रवृत्ति नं० सैन, निदेशक

New Delhi, the 29th January, 1997

S.O. 417—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bijapur to Dadri (HBJ upgradation P/L Project) in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd.

And Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, 30, Krishna Nagar, Bharatpur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Name of Village : Bajhera Teh. & Distt. Bharatpur (Raj.)
Vijaypur Dadri. H.B.J. Upgradation Gas Pipeline

Name of Village	Kahsra No.	Area		
		Htr.	Ayar	Qr. Mtr.
Bajhera	568	—	2	80
Teh. Bharatpur				
Total	1		2	80

[No.L-14016/6/94-GP]
ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का०आ० 418.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि विजयपुर से दादरी (एच०बी०जे० अप्रेडेशन पाइपलाइन परियोजना) राजस्थान राज्य में तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाईन गैस श्रावांगिटी ऑफ इंडिया लिमिटेड द्वारा बिठाई जानी चाहिए।

आंग चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतद्वपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित करती है।

बास्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए अक्षेप सक्षम प्राधिकारी, गैस श्रावांगिटी ऑफ इंडिया लिमिटेड, 30, कृष्ण नगर, भरतपुर को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

आंग ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी क्यन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत

अनुसूची

ग्राम तिमासिया बसंडी जिला धौलपुर (राज०) विजयपुर-दादरी एच०बी०जे० अप्रेडेशन गैस पाइप लाइन

ग्राम का नाम	बसरा नम्बर	क्षेत्रफल		
		हेक्टेर	एकड़	वर्ग मीटर
तिमासिया	1471	—	—	30
तहसील बसंडी				
जिला धौलपुर				

[सं० एल०-14016-6/94-जी०पी०]
प्रवृत्ति नं० सैन, निदेशक

New Delhi, the 29th January, 1997

S.O. 418.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bijapur to Dadri (HBJ upgradation P/L Project) in Rajasthan State pipeline should be laid by the Gas Authority of India Ltd.

And Whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the

right of user in the land described in the schedule annexed hereto :

Now, Therefore, in exercise of the powers conferred by subsection (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India India Ltd. (30 Krishna Nagar, Bharatpur).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Name of Village : Timasia Teh Basdi Distt. Dholpur (Raj)
Vijalpur—Dadri HBJ Upgradation Gas pipeline

Name of Village	Kahsra No.	Area		
		Htr.	A/ar	Qr. Mrt.
Timasia Teh. Basdi Distt. Dholpur	1471	—	0	30

[No. L-14016/6/94-G.P.]
ARDHENDU SEN, Director

नई विल्सी, 29 जनवरी, 1997

का.आ. 419.—पेट्रोलियम और खनिज पाईपलाईन अधिनियम 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पाईप लाईन (भूमि उपयोग के अधिकार का प्रर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान अनुसर में ये एन.एम. परमार, संधार अधिकारी, गैस अथारिटी आफ इंडिया लिमिटेड, बड़ोदा के परामर्श से, जैसे उस क्षेत्र में भूमि के उपयोग का अधिकार प्रदान किया गया है अथवा उस क्षेत्र में पाईपलाईन का स्वामित्व प्रदान है, जसा भी मामला हो, एनद्वारा घोषणा करता हुं कि गैस पाईपलाईन के बिठाने संबंधी कार्य के समापन की तारीख नीचे दी गई अनुसूची के कालम 8 में दिये अनुसार है:—

अनुसूची

क्रम सं.	पाईपलाईन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में खंड 6 (1) के तहत प्रकाशन की तारीख	का.आ.स.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	नन्दासन ही पी एस से लगाली कायोल कड़ी	कायोल	मेहसाना	मेहसाना	15-6-95	538(ई)	31-10-95
2.	स्टेरेलिस सेरामिक्स लि.	नन्दासन कड़ी	मेहसाना	मेहसाना	15-6-95	539(ई)	31-10-95

[संख्या एस-14016/19/94-जी.पी.]

मध्यन्तु सैन, मिशनक

New Delhi, the 29th January, 1997

S.O. 419.—In pursuance of provision of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act 1962, I.N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below:—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Nandasan EPS to Rupali	Kiyol Kadi	Mehsana	Mehsana	15-6-95	538(E)	31-10-95
2.	Sterling Ceramics Ltd.	Nandasan Kadi	Mehsana	Mehsana	15-6-95	539(E)	31-10-95

[L-14016/19/94 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 420—पैट्रोलियम और खनिज पाईपलाई अधिनियम, 1962 की धारा 17 के अन्तर्गत पैट्रोलियम पाईपलाईन (भूमि उपयोग के प्रधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसार में मै. एन.एम. परमारथ सक्षम प्रधिकारी, जैस अधारिटी आफ इंडिया लिमिटेड, बड़ीदा के परामर्श से, जिसे उस क्षेत्र में भूमि के उपयोग का प्रधिकार प्रदान किया गया है अथवा उस क्षेत्र में पाईपलाईन का स्वामित्व प्रदान है, जैसा भी मामला हो, एतत्वारा घोषणा करता हूँ कि जैस पाईपलाईन के बिछाने संबंधी कार्य के समापन की तारीख नीचे दी गई अनुमूलीकी के कालम 8 में दिये अनुसार है :—

अनुमूली

क्रम सं.	पाईपलाईन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में खंड 6 (1) के तहत प्रकाशन की तारीख	का.आ.सं.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	नवासन ही. पी.एस. से निरमा लि.	मंडाली	मेहसाना	मेहसाना	15-6-95	535(ई)	31-10-95
2.		नवी सेडावी	कड़ी	मेहसाना	15-6-95	537(ई)	31-10-95
3.		कयोल	कड़ी	मेहसाना	15-6-95	536(ई)	31-10-95

[सं. एल-14016/19/94-जी.पी.]

अर्धेन्दु सैन, निदेशक

New Delhi, the 29th January, 1997

S. O. 420—"In" pursuance of provision, of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act, 1962, I.N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below :—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Nandasan EPS to Nirma Ltd., Mandali		Mehsana	Mehsana	15-6-95	535(E)	31-10-95
2.		Navi-Sedhavi	Kadi	Mehsana	15-6-95	537(E)	31-10-95
3.		Kiyol	Kadi	Mehsana	15-6-95	536(E)	31-10-95

[L-14016/19/94.G.P.]
ARDHENDU SEN, Director

नई बिल्ली, 29 अनवरी, 1997

का.आ. 421.—पैट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 17 के अन्तर्गत पैट्रोलियम पाइपलाइन (भूमि उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसरण में मैं, एन.एम. परमार, संधाम प्राधिकारी, जैस अर्थात् श्री अॉफ हॉलिया लिमिटेड, बड़ौदा के परामर्श से, जिसे उस क्षेत्र में भूमि के उपयोग का अधिकार प्रदान विषय गया है अथवा उस क्षेत्र में पाइपलाइन का स्थापित्व प्रदान है, जैसा भी सामल हो गतद्वारा घोषणा करता हूँ कि गैस पाइपलाइन के विलास मंत्रियों कार्य के समापन की तारीख नीचे दी नई अनुसूची के जानम 8 में दिये अनुसार है :—

अनुसूची

क्रम में	पाइपलाइन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में संबंध 6(i) के तहत	का.आ. सं.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	वडुई.पी.एस. से पायोनियर इंडस्ट्रीज	वडु	काड़ी	मेहसाना	30-12-95	3381	1-2-96

[संख्या एल-14016/19/94-जी.पी.]
अर्धेन्दु सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 421.—In pursuance of provision, of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act 1962, I, N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd. Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below :—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Wadu EPS to Pioneer Industries	Wadu	Kadi	Mehsana	30-12-95	3381	1-2-96

[No. L-14016/19/94.G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 422.—पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पाइपलाइन (भूमि उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसरण में से, एन.एम. परमार सभम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, बड़ीदा के परामर्श से, जिसे उस क्षेत्र में भूमि के उपयोग का अधिकार प्रदान किया गया है अथवा उस क्षेत्र में पाइपलाइन का स्वामित्व प्रदान है, जैसा भी समझा हो एतद्वारा घोषणा करता हूँ कि गैस पाइपलाइन के बिछाने संबंधी कार्य के समापन की तारीख नीचे दी गई अनुसूची के कालम-8 में दिय अनुसार है:—

अनुसूची

क्रम सं.	पाइपलाइन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में खंड 6(i) के तहत प्रकाशन की तारीख	का.आ.स.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	सानन्द जी.जी.एस. से जलाराम सिपाहीमिक्स	थोल	कड़ी	मेहसाना	9-3-96	649	5-2-96

[संख्या एल-14016/19/94-जी.पी.]
अर्धेन्दु सेन, निवेशक

New Delhi, the 29th January, 1997

S.O. 422.—In pursuance of provision of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act 1962, I.N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below:—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Tel.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
1.	Sanand GGS to Jalaram Ceramics.	Thol		Kadi	Mehsana	9-3-96	649	5-2-96

[No. L-14016/19/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 423.—पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पाइपलाइन (भूमि उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसरण में से, एन.एम. परमार, सभम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, बड़ीदा के परामर्श से, जिससे उस

क्षेत्र में भूमि के उपयोग का अधिकार प्रदान किया गया है अब वह उस क्षेत्र में पाईपलाईन का स्वामित्व प्रदान है, जैसा भी मामला हो, ऐतद्वारा घोषणा करता है कि गैस पाईपलाईन के बिलासे संबंधी कार्य के समान वी तारीख नीचे दी गई अनुसूची के कालम-8 में दिये अनुसार है:—

अनुसूची

क्रम सं.	पाईपलाईन का नाम	ग्राम का नाम	ताडील	जिला	राजपत्र में खंड 6(i) के तहत प्रकाशन की तारीख	का.आ.सं.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	टी प्लाइट श्राफ शोभासन सी.टी.एफ. से अणोक इंडस्ट्रीज	शोभासन	मेहसाना	मेहसाना	30-12-95	3382	22-3-96

[संचया एल-14016/19/94-जी.पी.]
अर्धेन्दु सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 413.—In pursuance of provision of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act, 1962, I, N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below:—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	'T' point of Shobhsana CTF line to Ashok Industries.	Shobhsana	Mehsana	Mehsana	30-12-95	3382	22-3-96

[No. L-14016/19/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 424.—पेट्रोलियम और खनिज पाईपलाईन अधिनियम, 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पाईपलाईन (भूमि उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के प्रत्यार्पित नियम 4 के प्रावधान के अनुसरण में मैं, पं.एम. परमार सक्षम प्राधिकारी, पैस अपॉर्ट्मेंट आफ इंडिया लिमिटेड, बड़ीदा के परामर्श से, जिसे उस क्षेत्र में भूमि के उपयोग का अधिकार प्रदान किया गया है अब वह उस क्षेत्र में पाईपलाईन का स्वामित्व प्रदान है, जैसा भी

गामला हो, एतद्वारा घोषणा करता हूँ कि गैस पाइपलाइन के जिनामो संबंधी कार्य के लगान की तारीख नीले दी-गढ़ अनुसूची के कामल-8 में दिये अनुसार है:—

अनुसूची

क्रम सं.	पाइपलाइन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में खंड 6(i) के तहत प्रकाशन की तारीख	का.आ.सं.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	“टी” प्लाइट ग्राफ शोभासन सी.टी.एफ. डेरी लाइन से स्टेंडर्ड	कुकास	मेहसाना	मेहसाना	9-3-96	648	22-3-96

[संख्या ए.ल-14016/19/94-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 29th January, 1997

S.O. 424.—In pursuance of provision, of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act, 1962, I, N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below:—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6 (i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	‘T’ point of Shobhsana CTF Dairy line to Stand- a d.	Kukas	Mehsana	Mehsana	9-3-96	648	22-3-96

[L-14016/19/94-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 29 जनवरी, 1997

का.आ. 425.—पेट्रोलियम और ग्यनिज पाइपलाइन अधिनियम, 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसरण में मै. प.न.ए.स. परमार, सक्षम प्राधिकारी, गैस अथारिटी ग्राफ इंडिया लिमिटेड, बड़ोदा के परामर्श से, जिसे उस धेव में भूमि के उपयोग का अधिकार प्रदान किया गया है अथवा उस धेव में पाइपलाइन का स्वामित्व प्रदान है, जैसा भी मामला हो,

एतद्वारा घोषणा करता हूँ कि गैस पाइपलाइन के विचारे राजधी कार्य के समापन की तारीख नीचे दी गई अनुसूची के कानूनम-8 में दिये अनुसार है :—

अनुसूची

न्रम सं.	पाइपलाइन का नाम	ग्राम का नाम	तहसील	जिला	राजपत्र में खंड 6(1) के तहत प्रकाशन की तारीख	का. ग्रा. सं.	समापन कार्य की तारीख
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	शोभासन ग्री.टी.एफ से विजापुर रोड	पुनासन	मेहसाना	मेहसाना	30-12-95	3380	22-3-96
2.		हेबुवा	मेहसाना	मेहसाना	30-3-96	978	22-3-96
3.		शोभासन	मेहसाना	मेहसाना	30-3-96	979	22-3-96
4.		कुकुस	मेहसाना	मेहसाना	30-3-96	980	22-3-96

[संख्या पफ-14016/19/94-जी.पी.]
अर्धेन्दु सेन, निवेशक

New Delhi, the 29th January, 1997

S.O. 425.—In pursuance of provision of Rule 4 under explanation of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipeline Act 1962, I, N.M. Parmar, Competent Authority in consultation with the Gas Authority of India Ltd., Baroda with whom the Right of User in the land in that area has vested or ownership of the pipeline in that area vest as the case may be, hereby declare the date of termination of laying of gas pipelines as mentioned in column 8 of the schedule appended below :—

SCHEDULE

Sl. No.	Name of the Pipeline	Name of the Village	Teh.	Distt.	Date of Publication under 6(i)	S.O. No.	Date of Termination of Operation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Shobhsan CTF to Vijapur Road	Punsan	Mehsana	Mehsana	30-12-95	3380	22-3-96
2.		Hebuwa	Mehsana	Mehsana	30-3-96	978	22-3-96
3.		Shobhsana	Mehsana	Mehsana	30-3-96	979	22-3-96
4.		Kukas	Mehsana	Mehsana	30-3-96	980	22-3-96

[L-14016/19/94-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 31 जनवरी, 1997

का. ग्रा. 426.—युक्ति केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि नरसापुरम जी.सी.एस. से कोबूरु, आन्ध्र प्रदेश तक पट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अथारिटी आफ इंडिया लिमिटेड द्वारा बिलाई जानी चाहिए ;

और युक्ति यह प्रतीत होता है कि ऐसी लाइन को विभाग के प्रयोजन के लिए एक्स्ट्राक्टर अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः, प्रगतीयोगिता और विनियोग पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का प्रधिकार अर्जित करने का अवाया आशय एतद्वारा घोषित करती है।

वर्णन कि उस भूमि में हितवद्वा कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अथाइटी आर्क इंडिया लिमिटेड, के.जी. वसीन प्रोजेक्ट, 29-7-1/3/1 राजमंडी (आंध्रप्रदेश) को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट है कि वह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नरसापुर से कोववूर गैस पाइपलाइन प्रोजेक्ट अधिनियम 3-1

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टेर/एकड़ में)	विवरण
पश्चिम गोदावरी	पोडरु	मट्टपुरु	170/भाग 173/1 भाग 174/भाग	0.0050 0.0400 0.0550	जी.पी.
				कुल	0.1000 और 25 सेट्स

[सं.एल.-14016/14/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 31st January, 1997

S.O. 426.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Narasapuram G.C.S. to KOVVURU in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India, Ltd, K. G. Basin Project. 29-7-1/3/1, Rajahmundry (A.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Narasapuram—Kovvuru Gas pipeline project for Section 3(1)

District	Mandal	Village	Survey No.	Area (In Hect/ Acres)	Remark
West Godavari	Poduru	Matta-purru	170/Part 173/1 Part 174/Part	0.0050 0.0400 0.0550	G.P.
				Total	0.1000 or Ac. 0.25 cent

[No. L-14016/14/93.GP]

ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 31 जनवरी, 1997

का.या. 427.—भारत के राजपत्र दिनांक 2-12-93 के भाग-II खंड 2, उपखंड (i) वैद्योलियम और प्राकृतिक गैस मंत्रालय भारत सरकार के का.या. संख्या 52 (प्र) दिनांक 25-12-93 के वैद्योलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा

की उपधारा (1) के प्रतिगत प्रकाशित अधिसूचना जो कि ग्राम मट्टपुर मंडल पौड़ुल जनपद पश्चिम गोदावरी, आ.प्र. के संबंध में थी, को निम्नानुसार पढ़ा जाए।

राजपत्र के अनुसार

निम्न संशोधन के अनुसार पढ़ा जाएं

क्रम सं. सर्वे संख्या	क्षेत्रफल हैक्टेयर में	सर्वे संख्या	क्षेत्रफल हैक्टेयर में
1. 124/1 ए 2 भाग	0.0750	124/1 ए 2 भाग	0.1800
2. 152/4 भाग	0.0700	152/4 भाग	0.1550

[संख्या-एम-14016/14/93 जी.पी.)]

अर्धेन्दु सेन, निवेशक

CORRIGENDUM

New Delhi, the 31st January, 1997

S.O. 427—In the Gazette of India, Ministry of Petroleum and Natural Gas S.O. No. 2806, Dated 02-12-93 published on 25-12-93 under sub-section (i) of section 3 of the Petroleum and Minerals Pipe Line (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of Village Mattaparru, Mandal Poduru, District West Godavari, be read as follows:

As Per Gazette		Be read as corrected below		
Serial No.	Survey No.	Area in Hectare	Survey No.	Area in Hectare
1.	124/1A2 Part	0.0750	124/1A2 Part	0.1800
2.	152/4 Part	0.0700	152/4 Part	0.1550

[No. L-14016/14/93 G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 31 जनवरी, 1997

का.आ. 428.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि नरसापुरम जी.सी.एस.से कोवूरु ग्रान्थप्रदेश तक पैट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइप लाइन गैस अधारिटी ऑफ इंडिया लिमिटेड द्वारा बिलाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिलाने के प्रयोजन के लिए एतदुपायद्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः, ग्राम पैट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित करती है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अधारिटी ऑफ इंडिया लिमिटेड, के. जी.वसीन प्रोजेक्ट. 29-7-1/3/1 राजमंडी (आंध्र प्रदेश) को इस अधिसूचना की सारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई अविस्तर ही या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नरसापुर से कोवूरु गैस पाइपलाइन प्रोजेक्ट अधिनियम 3-1

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हैक्टे/एकड़ में)	विवरण
1	2	3	4	5	6
पश्चिम गोदावरी	पालकोल्लू	उल्लम्पुर	181/भाग	0.0100	जी.पी.
			182/भाग	0.0050	
			200/1 भाग	0.0100	जी.पी.
			200/2 भाग	0.0550	

1	2	3	4	5	6
		201/2 भाग	0.0100		
		201/3 भाग	0.2750		
		207/1 भाग	0.1500		
		207/2 भाग	0.0050		
		208/1 भाग	0.2000		
		208/2 भाग	0.2050		
		210/भाग	0.0100	जी.पी.	
		212/भाग	0.0050		
		कुल	0.9400	और 23.4 सेंट्स	

[सं. एल-14016/14/93-जी.पी.०]
श्रद्धेन्दु सेन, निवेशक

New Delhi, the 31st January, 1997

S.O. 428.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Narapuram G.C.S. to Kovvuru in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India, Ltd., K. G. Basin Project 29-7-1/3/1, Rajahmundry (A.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Narasapuram — Kovvuru Gas Pipe Line Project for Section 3-1

District	Mandal	Village	Survey No.	Area (In Hec/	Remarks
1	2	3	4	5	6
West	Palakol	Ullam-parru	181/Part	0.0100	G.P.
Godavari					
			182/Part	0.0050	
			200/1Part	0.0100	G.P.
			200/2Part	0.0550	
			201/2Part	0.0100	
			201/3Part	0.2750	
			207/1Part	0.1500	
			207/2Part	0.0050	
			208/1Part	0.2000	
			208/2Part	0.2050	
			210/Part	0.0100	G.P.
			212/Part	0.0050	
			Total :	0.9400 (or Ac. 2.34 cents	

[No. L-14016/14/93-GP]
ARDHENDU SEN, Director

शुद्धि पत्र

नई दिल्ली, 31 जनवरी, 1997

का.आ. 429.—भारत के राजपत्र दिनांक 2-12-93 के भारत के भाग-II खंड 3, उपखंड (ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के का.आ. संख्या 52(अ) दिनांक 25-12-93 के पैट्रोलियम और अधिनियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की घारा 3 की उपधारा (1) के अंतर्गत प्रकाशित अधिक्रियना जो कि ग्राम उलूमपुर मंडल पालकोलु जनपद पश्चिम गोवाबरी, आ.प्र. के संबंध में थी को निम्नानुसार पढ़ा जाए।

राजपत्र के अनुसार		निम्न संशोधन के अनुसार पढ़ा जाए		
क्रम सं.	सर्वे संख्या	क्षेत्रफल हैक्टर में	सर्वे संख्या	क्षेत्रफल हैक्टेयर में
1.	179/2 भाग	0.1500	179/2 भाग	0.1000
	179/4 भाग	0.0500	179/4 भाग	0.0300
2.	180/1 भाग	0.2400	180/2 भाग	0.2400
	183/3 भाग	0.2250	183/3 भाग	0.2550
3.	213/1 भाग	0.0650	213/1 भाग	0.0300
	213/3 भाग	0.1800	213/3 भाग	0.1400
	213/4 भाग	0.0650	213/4 भाग	0.0550

[संख्या एल-14016/14/93 जी.पी.]

अर्धेन्दु सेन, निदेशक

CORRIGENDUM

New Delhi, the 31st January, 1997

S.O. No. 429.—In the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 2846, dated 02-12-93 published on 52 of 25-12-93 under Sub-Section (1) of Section 3 of the Petroleum and Minerals Pipe line (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Ullampurru, Mandal Palakol District West Godavari, be read as follows :—

AS PER GAZETTE		BE READ AS CORRECTED BELOW		
Serial No.	Survey No.	Area in Hectare	Survey No.	Area in Hectare
1.	179/2 Part	0.1500	179/2 Part	0.1000
	179/4 Part	0.0500	179/4 Part	0.0300
2.	180/1 Part	0.2400	180/2 Part	0.2400
3.	183/3 Part	0.2250	183/3 Part	0.2550
4.	213/1 Part	0.0650	213/1 Part	0.0300
	213/3 Part	0.1800	213/3 Part	0.1400
	213/4 Part	0.0650	213/4 Part	0.0550

[No. L-14016/14/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 31 जनवरी, 1997

का.आ. 430.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि नरसापुरम जी.सी.एस. से कोवृकु, आन्ध्रप्रदेश तक पैट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अधारिटी एंड इंडिया लिमिटेड द्वारा बिल्ड जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिल्ड के लिए एतद्वाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पैट्रोलियम और खनिज प्लाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करते का अपना आशय पाठदान घोषित करती है।

वर्तमें कि उक्त भूमि में हितबद्ध कीई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिल्ड के लिए आमेप सक्षम प्रधिकारी गैस अधारिटी एंड इंडिया लिमिटेड, के जी. वर्सीन प्रोजेक्ट, 29-7-1/3/1 राजामंडी (आंध्र प्रदेश) को इस प्रधिसूचना की सारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा प्राक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: उन्हीं करा करेगा कि व्यावहार लाइसेन्स है कि उन्हीं गुनवार्द्ध व्यक्तिगत हो या किसी विधि व्यवसायी की मार्केट।

अनुसूची

नरसापुर से कोव्वरु गैस पाइप लाइन प्रोजेक्ट अधिचिक्षण 3-1

जनपद	तहसील	ग्राम	सर्वे नं.	धेत्रफल (हेक्टेर/एकड़ में)	विवरण
पश्चिम गोदावरी	इरगवरम	रापाका	157/1 भाग	0.0550 ओर	0.14 सेंट्र स

[सं. एल-14016/14/93-जी.पी.]
अर्धेन्दु सेन, निवेशक

New Delhi, the 31st January, 1997

S.O. 430.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Narasapuram G.C.S. to KOVVURU in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and

Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. K. G. Basin Project, 29-7-1/3/1, Rajahmundry (A.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

NARASAPURAM—KOVVURU

GAS PIPE LINE PROJECT for sec. 3(1) Notification

DISTRICT	MANDAL	VILLAGE	SURVEY Nos.	AREA (IN HA/ ACRES)	REMARKS
West Godavari	Iragavaram	Rapaka	157/1 Pt.	0.0550	

[No. L-14016/14/93-GP]
ARDHENDU SEN, Director

शुद्धिपत्र

नई दिल्ली, 31 जनवरी, 1997

का.आ. 431.—भारत के राजपत्र दिनांक 2-12-93 के भाग II, खंड-3, उपखंड (ii) में पैट्रोलियम और प्राकृतिक गैस संचालन, भारत सरकार के का.आ.संघ्या 52(श्र) दिनांक 25-12-93 के पैट्रोलियम और खनिज पाइप लाइसेन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम रापाका मंडल इरगवरम जनपद पश्चिम गोदावरी आ.प्र. के संबंध में थी, को निम्नानुसार पढ़ा जाए।

क्रम सं.	राजपत्र के अनुसार	निम्न संशोधन के अनुसार पढ़ा जाए	
सर्वे संख्या	धेत्रफल हेक्टेयर में	सर्वे संख्या	धेत्रफल हेक्टेयर में
1. 223/1 भाग	0.3050	223/1 भाग	0.3500

[संघ्या एल-14016/14/93-जी.पी.]
अर्धेन्दु सेन, निवेशक

CORRIGENDUM

New Delhi, the 31st January, 1997

S.O. 431.—In the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 2842, dated 2-12-1993 published on 25-12-93 under sub section (i) of section 3 of the Petroleum and Mineral Pipe line (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Rapaka, Mandalm Iragavaram, District West Godavari be read as follows :—

AS PER GAZETTE		BE READ AS CORRECTED BELOW	
Serial No.	Survey No.	Survey No.	Area in Hectare
1.	223/1 Pt.	223/1 Part	0.3500

[No. L-14016/14/93-G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 31 जनवरी, 1997

का.आ. 432.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि नरसापुरम जी.सी.एस. से कोव्वुर आन्ध्र प्रदेश तक पैदेलियम और प्राकृतिक गैस के परिवहन के लिये पाईपलाईन गैस अर्थार्टी आफ इंडिया लिमिटेड द्वारा बिठाई जानी चाहिये।

और चूंकि यह प्रतीत होता है कि ऐसी लाईन को विभाजन के प्रयोजन के लिये एतदुपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पैदेलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतदुपावद्ध घोषित करती है।

बताते हुए कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाईपलाईन बिघाने के लिये आक्षेप सक्षम प्राधिकारी, गैस अर्थार्टी आफ इंडिया लिमिटेड के जी.वी.बी.प्रोजेक्ट 29-7-1/3/1, राजमंडी (आन्ध्र प्रदेश) को इस अधिसूचना की तारीख से 21 दिनों के भीतर बताएगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किमी विधि व्यवसायी की मार्फत।

अनुसूची

नरसापुर से कोव्वुर गैस पाईपलाईन प्रोजेक्ट अधिनियम 3-1

जनपद	तालूक	ग्राम	मर्वे नं.	क्षेत्रफल (हेक्टेर/एकड़ में)	विवरण
पश्चिम गोदावरी	कोव्वुर	कोव्वुर	379/3 सी भाग	0.0900	
			379/5 भाग	0.1200	
			379/2 दी भाग	0.0250	जी.पी.
			कुल	0.2350 और 0.58 सेट स	

[सं. एल-14016/14/93-जी.पी.]

अधिकारी सेवा, निवेशक

New Delhi, the 31st January, 1997

S.O. 432.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Narasapuram G.C.S. to KOVVURU in A.P. State pipeline should be laid, by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and

Minerals Pipelines (Acquisition of Right of User in the Land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Gas Authority of India, Ltd, K. G. Basin Project, 29-7-1/3/1, Rajahmundry (A.P.).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

NARASAPURAM—KOVVURU GAS PIPE LINE PROJECT FOR SECTION 3—1, NOTIFICATION

District	Mandal	Village	Survey Nos.	Area (in Hect/ Acres)	Remarks
West Godavari	Kovvuru	Kovvuru	379/3C	0.0900	
			Part		
			379/5 Part	0.1200	
			379/2B	0.0250	
			Part		G.P.
			Total :	0.2350 (or) Ac.0.58 cents.	

[No. L-14016/14/93-GP]
ARDHENDU SEN, Director

मुद्रित पत्र

नई दिल्ली, 31 जनवरी, 1996

का. आ. 433—भारत के राजपत्र दिनांक 2-12-93 के भाग-II, खंड-3, उपखंड (ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के का.आ. संख्या 52(अ) दिनांक 25-12-93 के पेट्रोलियम और खनिज पाइप लाईन (भूमि में उत्पादन के अधिकार का प्रबंधन) अधिनियम 1962 (1962 का 50) की धारा की उपधारा (1) के अन्तर्गत प्रकाशित अधिसूचना जोकि ग्राम पेट्रोलियम और गैस गोदावरी के संबंध में थी, को निम्नानुसार पढ़ा जाये।

राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जाये		
क्र.सं.	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	
	126-3प	भाग	0.0900	126-3प	भाग
	126-3बी	„	0.0550	126-3 बी	भाग
	4	„	0.0050	„ 4	„
	127-1प	„	0.0200	127-1प	„
	1बी	„	0.0850	1बी	„
	2	„	0.1200	2	„
	3	„	0.0500	3	„
	4	„	0.1100	4	„
	140	भाग	0.0400	140	„
	145-1बी	„	0.1000	145-1 बी	„
	2-प 2	„	0.1000	2-प 2	„
	3	„	0.0250	3	„
					0.0300 जी.पी.

[संख्या एन-14016/14/93-जी.पी.]

अधिकारी सेवा, निदेशक

CORRIGENDUM

New Delhi, the 31st January, 1997

S.O. 433.—In the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 2843, dated 2-12-93 published in the Gazette No. 52, dated 25-12-93 under sub-section (i) of section 3 of Petroleum and Mineral Pipe Line (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Peravali, Mandal Peravali, District West Godavari be read as follows:

As per Gazette				Be read as corrected below		
Sl. No.	Survey No.	Sub-Div. No.	Area in Hectors	Survey No.	Sub-Div. No.	Area in Hectors
1	2	3	4	5	6	7
1.	126	3A Part	0.0900	126	3A Part	0.1100
	126	3B Part	0.0550	126	3B Part	0.0800
	126	4 Part	0.0050	126	4 Part	0.0200
	127	1A Part	0.0200	127	1A Part	0.0250 G.P.
	127	1B Part	0.0850	127	1B Part	0.1950
	127	2 Part	0.1200	127	2 Part	0.1500
	127	3 Part	0.0500	127	3 Part	0.1450
	127	4 Part	0.1100	127	4 Part	0.1400
	140	Part	0.0400	140	Part	0.0550 G.P.
	145	1B Part	0.1000	145	1B Part	0.1150
	145	2A2 Part	0.1000	145	2A2 Part	0.1100
	145	3 Part	0.0250	145	3 Part	0.0300 G.P.

[No. L-14016/14/93 G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 5 फरवरी, 1997

का०आ० 434.—पेट्रोलियम और खनिज पालनाइन अधिनियम, 1962 की धारा 17 के अन्तर्गत पेट्रोलियम पालन साइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के स्पष्टीकरण के अन्तर्गत नियम 4 के प्रावधान के अनुसार में, मैं, बी० श्रीनिवासूलु, सक्रम प्राधिकारी, गैस अपोर्टरी आफ शॉपिंग लिमिटेड, राजसूदूरी के परगमर्थ में जिसे उम क्षेत्र में भूमि के उपयोग का अधिकार प्रदान किया गया है अथवा उम क्षेत्र में पालनाइन का स्वामित्व प्रदान है जैसा भी मामला हो एन्ड्रारा घोषणा करता हूँ कि नरमापुरम में कोव्वुरु पालनाइन के विलास गम्भीरी कार्य के समापन की तिथि संलग्न परिणिष्ट अनुसूची के सन्म्भ 8 के अनुसार है।

अनुसूची

क्रम संख्या	गांव का नाम	मण्डल	अधिसूचना धारा 3(1)		अधिसूचना धारा 6(1)		समापन कार्य की तारीख
			राजपत्र के प्रकाशन की तिथि	क्रम सं०	राजपत्र के प्रकाशन की तिथि	व्रम सं०	
			4	5	6	7	8
1.	चिनमार्मिडिपल्ली	नरमापुरम	5-2	2813	41	2648	4-6-1966
			25-12-93	2-12-93	8-10-94	7-9-94	
2.	चित्तवरम	नरमापुरम	25-12-93	2812	8-10-94	2647	4-6-1966
			2-12-93		7-9-94		

1	2	3	4	5	6	7	8
3. दिग्मधः		पालकोल्लु	52	2807	41	2642	4-6-1996
			25-12-93	2-12-93	8-10-94	7-9-94	
4. पालकोल्लु		पालकोल्लु	,,	2802	,,	2637	,,
				2-12-93		7-9-94	
5. पनुमादम		पोडुलु	,,	2810	,,	2645	,,
				2-12-93		7-9-94	
6. उभ्याप्पे		पालकोल्लु	,,	2846	,,	2649	,,
				2-12-93		7-9-94	
7. त्रिशूर		पोडुलु	,,	2811	,,	2646	,,
				2-12-93		7-9-94	
8. मट्टपरम		पोडुलु	,,	2808	,,	2641	,,
				2-12-93		7-9-94	
9. वेंकंगी		पोडुलु	,,	2805	,,	2640	,,
				2-12-93		7-9-94	
10. पाडुरु		पोडुलु	,,	2808	,,	2643	,,
				2-12-93		7-9-94	
11. कवितम		पोडुरु	,,	2809	,,	2644	,,
				2-12-93		7-9-94	
12. जगशादपुरम		पोडुरु	,,	24	1318	626	896(₹)
				11-6-94	18-5-94	20-12-94	20-12-94
13. माटौर		पेनुमन्त्रा	52	2804	41	2638	,,
			25-12-93	2-12-93	8-10-94	7-9-94	
14. पेनुगोडा		पेनुगोडा	,,	2845	,,	2658	,,
				2-12-93		7-9-94	
15. नेम्मीपूर्णि		पेनुमन्त्रा	,,	2803	,,	2638	,,
				2-12-93		7-9-94	
16. चरुकुवाडा		पेनुगोडा	,,	2853	,,	2665	,,
				2-12-93		7-9-94	
17. एलटिपाडु		ऐआरए० गवरम	,,	2841	,,	2655	,,
				2-12-93		7-9-94	

1	2	3	4	5	6	7	8
18.	पेक्ख	ग्राम आरए० गवरम	52	2844	41	2657	4-6-1996
			25-12-93	2-12-93	8-10-94	7-9-94	
19.	रागाका	"	"	2842	"	2656	"
				2-12-93		7-9-94	
20.	हिष्टविष्परू	"	"	2839	"	2653	"
				2-12-93		7-9-94	
21.	कापवरम	परवली	"	2840	"	2654	"
				2-12-93		7-9-94	
22.	पेरवली	"	"	2843	"	2630	"
				2-12-93		7-9-94	
23.	अज्जारम	"	"	2788	"	2628	"
				2-12-93		7-9-94	
24.	बेलगदुरु	उन्डाजवरम	"	2789	"	2629	"
				2-12-93		7-9-94	
25.	ताडिपरू	"	"	2785		2625	"
				2-12-93		7-9-94	
26.	मोर्ता	"	"	2838		2652	"
				2-12-93		7-9-94	
27.	कानूरु	पेरवली	"	2787	"	2627	"
				2-12-93		7-9-94	
28.	नडुपल्ली	"	"	2786	"	2628	"
				2-12-93		7-9-94	
29.	मुनिपल्ली	निङ्गथोल	"	2836	"	2650	"
				2-12-93		7-9-94	
30.	कोशपल्ली	"	"	2837	"	2651	"
				2-12-93		7-9-94	
31.	कलवचेली	"	"	2852	"	2664	"
				2-12-93		7-9-94	
32.	पेलपह	"	"	2851	"	2663	"
				2-12-93		7-9-94	

1	2	3	4	5	6	7	8
33. पुरुषोत्तमली	निष्ठदलोल		52	2850	41	2662	4-6-96
			25-12-93	2-12-93	8-10-94	7-9-94	
34. गोपवरम	“	“	“	2849	“	2661	“
				2-12-93		7-9-94	
35. विजयेश्वरम	“	“	“	2848	“	2660	
				2-12-93		7-9-94	
36. मदुरु	कोव्वुर	“	“	2847	“	2659	“
				2-12-93		7-9-94	
37. वाडपल्ली	“	“	“	2801		2636	“
				2-12-93		7-9-94	
38. तोगुम्मी	“	“	“	2800	“	2635	“
				2-12-93		7-9-94	
39. बेमुरु	“	“	“	2799	“	2634	
				2-12-93		7-9-94	
40. कोव्वुर	“	“	“	2798	“	2633	“
				2-12-93		7-9-94	

[सं. एल-14016/14/93-जीपी]

अर्थन्तु मेन, निदेशक

New Delhi, the 5th February, 1997

S.O. 434.—In pursuance of proviso to rule 4 under explanation of the Petroleum and Minerals Pipe Line (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land) Act, 1962 I. B. Sreenivasulu,

the Competent Authority in consultation with the Gas Authority of India Limited, Rajahmundry with whom the right of user in the land in that area has vested or ownership of the pipe line in that area vest as the case may be, hereby declare the date of Termination of Operations of laying gas pipe line from Narasapuram to Kovvur as mentioned in column 8 of the schedule appended herewith.

SCHEDULE

Sl. No.	Name of the Village	Mandal	Notification U/s. 3(1)		Notification U/s. 6(1)		Date of Termination of Operations
			Date of Publication of Gazette	S.O. No. & Date	Date of Publication of Gazette	S.O. No. & Date	
1	2	3	4	5	6	7	8
1.	Chinamamidipalli.	Narasapur	52	2813	41	2648	4-6-96
			25-12-93	02-12-93	08-10-94	07-09-94	
2.	Chittavaram	Narasapur	“	2812	“	2647	“
				02-12-93		07-09-94	
3.	Digamaru	Palakol	“	2807	“	2642	“
				02-12-93		07-09-94	
4.	Palakol	Palakol	“	2802	“	2637	“
				02-12-93		07-09-94	

1	2	3	4	5	6	7	8
5.	Penumadam	Ponduru	52	2810	41	2645	4-6-96
			25-12-93	02-12-93	08-10-94	07-09-94	
6.	Ullamparru	Palakol	"	2846	"	2649	
				02-12-93		07-09-94	
7.	Ginnuru	Poduru	"	2811	"	2646	
				02-12-93		07-09-94	
8.	Mattaparru	Poduru	"	2806	"	2641	
				02-12-93		07-09-94	
9.	Vedangi	Ponduru	"	2805	"	2640	"
				02-12-93		07-09-94	
10.	Pednru	Ponduru	"	2808	"	2643	"
				02-12-93		07-09-94	
11.	Kavita	Poduru	"	2800	"	2644	"
				02-12-93		07-09-94	
12.	Jagannadhapuram	Ponduru	24	1313	626	896(1-)	"
			11-06-94	18-05-94	20-12-94	20-12-94	
13.	Marteru	Penumantra	52	2804	41	2639	"
			25-12-93	02-12-93	08-10-94	07-09-94	
14.	Neggipudi	Penumantra	"	2803	"	2638	"
				02-12-93		07-09-94	
15.	Penugonda	Penugonda	"	2845	"	2658	"
				02-12-93		07-09-94	
16.	Cherukuwada	Penugonda	"	2853	"	2665	"
				02-12-93		07-09-94	
17.	Yeletipadu	Iragavaram	52	2841	41	2655	04-06-96
			25-12-93	02-12-93	08-10-94	07-09-94	
18.	Pekeru	Iragavaram	"	2844	"	2657	"
				02-12-93		07-09-94	
19.	Rapaka	Iragavaram	"	2842	"	2656	"
				02-12-93		07-09-94	
20.	East Vipparu	Iragavaram	"	2839	"	2653	"
				02-12-93		07-09-94	
21.	Kapavaram	Peravali	"	2840	"	2654	"
				02-12-93		07-09-94	
22.	Peravali	Peravali	"	2843	"	2620	"
				02-12-93		07-09-94	
23.	Ajjaram	Peravali	"	2788	"	2628	"
				02-12-93		07-09-94	
24.	Velagadurru	Undrajavaram	"	2789	"	2629	"
				02-12-93		07-09-94	
25.	Tadiparru	-do-	"	2785	"	2625	"
				02-12-93		07-09-94	
26.	Mortha	-do-	"	2838		2652	"
				02-12-93		07-09-94	
27.	Kanuru	Peravali	"	2787	"	2627	"
				02-12-93		07-09-94	
28.	Nadupalli	Peravali	"	2786	"	2628	"
				02-12-93		07-09-94	
29.	Munipalli	Nidadavole	"	2836	"	2650	"
				02-12-93		07-09-94	

1	2	3	4	5	6	7	8
30.	Korupalli	Nidadavole	52	2837	41	2651	04-06-96
			25-12-93	02-12-93	08-10-94	07-09-94	
31.	Kalavacherla	Nidadavole	„	2852	„	2664	„
				02-12-93		07-09-94	
32.	Pandalapurru	Nidadavole	„	2851	„	2663	„
				02-12-93		07-09-94	
33.	Purushothapalli	Nidadavole	„	2850	„	2662	„
				02-12-93		07-09-94	
34.	Gopavaram	Nidadavole		2849	„	2661	„
				02-12-93		07-09-94	
35.	Vijjeswaram	Nidadavole	„	2848	„	2660	„
				02-12-93		07-09-94	
36.	Madduru	Kovvuru		2847	„	2659	„
				02-12-93		07-09-94	
37.	Vadapalli	Kovvuru	„	2801	„	2636	„
				02-12-93		07-09-94	
38.	Thogummi	Kovvuru	„	2800	„	2635	„
				02-12-93		07-09-94	
39.	Vemuluru	Kovvuru	„	2799	„	2634	„
				02-12-93		07-09-94	
40.	Kovvuru	Kovvuru	„	2798	„	2633	
				02-12-93		07-09-94	

[No. L-14016, 14/93-GP]
ARDHENDU SINN, Director

शहरी कार्य और रोजगार मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 10 जनवरी, 1997

का.आ. 435.—दिल्ली नगर कला आयोग अधिनियम, 1973 (1974 का 1) की धारा 5 की उप-धारा (5) के साथ पठित धारा 4 धारा प्रवत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, शहरी विकास मंत्रालय को दिनांक 1 जनवरी, 1996 की अधिसूचना सं. ए-11013/4/84-डी.डी.वी./वी./VI/1वी के अधिक्रमण में केन्द्र सरकार एतद्वारा श्री हमेन्द्र कुमार, अपर सचिव को तत्काल प्रभाव से दिल्ली नगर कला आयोग में अंशकालिक सदस्य तथा श्री आर. के. सिंह, निदेशक (डी.डी.वी.) को अपर सचिव श्री एन.पी. सिंह के स्थान पर वैकल्पिक सदस्य नियुक्त करती है।

[सं. ए-11013/4/84-डी.डी.वी./वी./वी./ए]

वी.के. मिश्रा, डेस्क अधिकारी

MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT
(Delhi Division)

New Delhi, the 10th January, 1997

S.O. 435.—In exercise of the powers conferred by Section 4 read with Sub-section (5) of Section 5 of the Delhi Urban Art Commission Act, 1973 (1 of 1974), and in supersession of Government of India, Ministry of Urban Development Notification No. A-11013/4/84-DDVB/VI/IB dated the 1st January, 1996, the Central Government hereby appoints Shri

Hemendra Kumar, Additional Secretary as part-time Member of the Delhi Urban Arts Commission with Shri R. K. Singh, Director (DD) as an alternate Member vice Shri N. P. Singh, Additional Secretary with immediate effect.

[No. A-11013/4/84-DDVB/VJ/IB/IA]
V. K. MISRA, Desk Officer

(शहरी विकास विभाग)

(दिल्ली प्रभाग)

नई दिल्ली, 20 जनवरी, 1997

का.आ. 436.—यतः निम्नान्कित क्षेत्रों के बारे में कतिपय संशोधन, जिन्हें केन्द्र सरकार अर्धाब्दित क्षेत्रों के बारे में दिल्ली वृहद योजना/केन्द्रीय विकास योजना में प्रस्तावित करती है तथा जिन्हें दिल्ली विकास अधिनियम, 1956 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 8-6-96 के नोटिस संख्या १५ 20 (18) ९५-एम. पी. द्वारा प्रकाशित किया गया था जिनमें उक्त अधिनियम की धारा 11-ए की उप-धारा (3) में यथा अपेक्षित आपत्तियों/सुझाव, उक्त नोटिस की तारीख के 30 दिन के अन्दर आमंत्रित किये गये थे।

यतः प्रस्तावित संशोधनों के संबंध में एक आपत्ति/सुझाव प्राप्त हुआ था जिस पर प्राधिकरण द्वारा विचार किया गया है।

यतः केन्द्र सरकार ने मामले के मध्ये पहलुओं पर विचार करने के पश्चात् बहुद योजना में संशोधन करने का निर्णय किया है।

अतः केन्द्र सरकार उक्त अधिनियम की धारा 11-ए की 'उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बहुद योजना में निम्नलिखित संशोधन करती है।

संशोधनः

उप जोन एफ-7 (सुखदेव विहार) में 0.32 हेक्टेयर (0.79 एकड़े) का क्षेत्र, जो उत्तर पूर्व में डिस्ट्रिक्ट पार्क उपजाऊ भूमि, दक्षिण में दिल्ली नगर निगम के कम्पोस्ट प्लांट/वर्कशाप तथा पश्चिम में नई दिल्ली नगर परिषद की वर्कशाप मौजूदा सड़क से घिरा है, का भु-उपयोग "मनोरंजनात्मक" (डिस्ट्रिक्ट पार्क) से "उत्पादन" (सेवा केंद्र) में परिवर्तित किया जाना है।

[म. के. - 13011/36/95-डी डी-2बी]
आर. विश्वनाथन, अवर सचिव

(Department of Urban Development)

(Delhi Division)

New Delhi, the 20th January, 1997

S.O. 436.—Whereas certain modification, which the Central Government proposed to make in the Master Plan for Delhi/Zonal Development Plan regarding the area mentioned hereunder were published with Notice No. F. 20 (18) 95-MP dated 8-6-96 in accordance with the provisions of Section 44 of the Delhi Development Act, 1956 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11A of the said Act, within thirty days from the date of the said notice.

Whereas one objection/suggestion was received with regard to the proposed modification, which has been considered by the Authority.

And whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master Plan :

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

MODIFICATIONS :

"The land use of an area measuring 0.32 ha. (0.79 acre) in subzone F-7 (Sukhdev Vihar) bounded by District Park/Cultivated land in the North and East, MCD compost Plant/workshop in the South and NDMC workshop/existing Road in the West, is changed from 'recreational' (District Parks) to 'manufacturing' (Service Centre).

[No. K-13011/36/95-DDIB]
R. VISHWANATHAN, Under Secy.

पर्यटन मंत्रालय

नई दिल्ली, 28 जनवरी, 1997

का.आ. 437.—केन्द्रीय सरकार, सरकारी स्थान (अधिविभागियों की बेंदखाली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के पर्यटन मंत्रालय की अधिसूचना में का.आ. 3758, तारीख 30 सितम्बर, 1982 को अधिकांत करते हुए, नीचे दी गई सारणी के संभ 1 में उल्लिखित अधिकारी को जो सरकार के राजपत्रित अधिकारी की पंक्ति के समत्वे अधिकारी हैं, उक्त अधिनियम के प्रयोजन के लिये संपदा अधिकारी नियुक्त करती है, जो उक्त सारणी के संभ 2 की तस्थानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों की वाबत उसकी अधिकारिता की स्थानीय सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित करनेवों का पालन करेगा।

सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
------------------	--

ज्येष्ठ प्रबंधक (कार्मिक) इंडिया टूरिज्म ऐवलपमेंट कार- परिशन लि. के या उसके द्वारा पट्टे पर लिये गये ऐसे सभी परिसर जो कर्नटिक राज्य में कृष्ण, बंगलौर, (कर्नटिक)	इंडिया टूरिज्म ऐवलपमेंट कार- परिशन लि. के या उसके द्वारा पट्टे पर लिये गये ऐसे सभी परिसर जो कर्नटिक राज्य में स्थित हैं।
---	--

[म. 6/21/91-पी.एस.यू. (टी)]

प.स. के, गृष्मा, अवर सचिव

MINISTRY OF TOURISM

New Delhi, the 28 January, 1997

S.O.437.—In exercise of the powers conferred by section 3 of the Public Premise (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Tourism, No. S.O. 3758 dated 30th September, 1982 the Central Government hereby appoints the officer mentioned in column 1 of the Table below— being officer equivalent to the rank of gazetted officer of the Government to be estate officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, within the local limits of his jurisdiction in respect of public Premises specified in the corresponding entry in column 2 of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises and local limits of the jurisdiction
Sr. Manager (Per.), India Tourism Development Corporation Ltd., Ashok Hotel, High Grounds, Kumara Krupa, Bangalore, (Karnataka)	All premises belonging to or taken on lease by India Tourism Development Corporation Ltd. and situated in the State of Karnataka.

[No. : 6/21/91-(PSU(T)]
S.K. Gupta, Under Secy.

जल-भूतल परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 29 जनवरी, 1997

का.आ. 438.—गोदी कामगार सत्राहकार समिति नियमावली 1962 के नियम 6 के उपनियम (1) के द्वितीय उपबन्ध और नियम 3 के उपनियम (2) के साथ पटित गोदी कामगार (रोजगार का विनियम) अधिनियम, 1948 (1948 का 90) की धारा 5 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केवल सरकार एवं द्वारा जल-भूतल परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं. का.आ. 3132 दिनांक 9-11-1996 में निम्नलिखित संशोधन करती है।

उक्त अधिसूचना में क्रम सं. 6 और 10 के सामने, "गोदी कामगारों और नौवहन कम्पनियों का प्रतिनिधित्व करने वाले सदस्य" शीर्षक के तहत "श्री पी. राजेश्वर राव, सचिव विश्वास्वापत्तनम स्टीविडोरेज एसोसिएशन" और "विवेशी नौवहन हितों का प्रतिनिधित्व करने के लिये महानिदेशक (नौवहन) द्वारा नामित एक सदस्य" प्रविष्ट निम्नलिखित प्रविष्ट द्वारा प्रतिष्ठापित की जायेगी, अथवा:—

"(6) श्री के.बी. कृष्ण कुमार, संयुक्त सचिव, विश्वास्वापत्तनम स्टीविडोरेज संघ"

"(10) श्री जी. के. भट्टाचार्जी, मुख्य कार्यपालक, मै. शोपिंग एजेंसी, कलकत्ता।"

[सं. एल.बी./13019/1/95-यू एस(एल)]
एस.के. दरगान, अवर सचिव

MINISTRY OF SURFACE TRANSPORT
(Transport Wing)

New Delhi, the 29th January, 1997

S.O. 438.—In exercise of the powers conferred by Sub-section (2) of Section 5 of the Dock Workers by (Regulation of Employment) Act, 1948 (9 of 1948) read with sub-rule of Employment) Act, 1948 (9 of 1948) read with sub-rule 3 and the second proviso to Sub-Rule (1) of Rule 6 of the Dock Workers Advisory Committee Rules, 1962, the Central Government hereby makes the following amendment in the

notification of the Government of India, in the Ministry of Surface Transport (Transport Wing) No. S.O. 3132 dated 9th November, 1996.

In the said notification, under the heading "Members representing the employers of Dock Workers and Shipping Cos. against Sl. Nos. 6 and 10 for the entries "Shri P. Rajeswara Rao, Secretary, Visakhapatnam Stevedores Association" and "A representative nominated by Director General (Shipping) to represent Overseas Shipping Interests" he following entries shall be substituted, namely :—

"(6) Shri K. V. Krishna Kumar, Joint Secretary, Visakhapatnam Stevedores Association."

"(10) Shri G. K. Bhattacharjee, Chief Executive, M/s. Oceanic Shipping Agency, Calcutta".

[File No. LB-13019/1/95-US (L)]
S. K. DARGAN, Under Secy.

नौवहन महानिदेशालय

मुंबई, 29 जनवरी, 1997

का.आ. 439.—वाणिज्य पोत परिवहन (नाविक रोजगार कार्यालय) नियम, 1986 के नियम 3 तथा भारत सरकार, जल-भूतल परिवहन मंत्रालय की अधिसूचना सं.एस डब्ल्यू/एम डब्ल्यू एस-40/85 एम टी, दिनांक 22 अप्रैल, 1988 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार जल भूतल परिवहन मंत्रालय, नौवहन महानिदेशालय की अधि.सं.का.आ. 140, दिनांक 20.1.1996 को आंशिक संशोधन करते हुए नौवहन महानिदेशक एतत्वारा श्री जी. सी. दास के स्थान पर श्री एस.के. दास को नाविक रोजगार बोर्ड कलकत्ता में पोतस्वामियों के प्रतिनिधि के रूप में सदस्य नियुक्त करते हैं।

तदनुसार पूर्वोक्त अधिसूचना में क्रमांक 12 के सामने श्री जी.सी. दास के स्थान पर पोतस्वामियों के प्रतिनिधि के रूप में श्री एस.के. दास रखा जाएगा।

[फाइल सं. 25 (2) सी आर/90]
एम.पी. पिन्टो, नौवहन महानिदेशक

(Directorate General of Shipping)

Mumbai, the 29th January, 1997

S.O. 439.—In exercise of the powers conferred by Rule 3 of the Merchant Shipping (Seamen's Employment Office) Rules, 1986 read with the Notification of the Government of India, Ministry of Surface Transport No. SW/MWS-40/85-MT dated 22nd April, 1988 and in partial modification of the Notification of the Government of India, the Ministry of Surface Transport, Directorate General of Shipping vide S.O. 140 dated 20-1-1996, the Director General of Shipping hereby appoints Shri S. K. Das, Shipowners representative as member on the Seamen's Employment Board, Calcutta in place of Shri G. C. Das.

Accordingly, in the aforesaid notification, in the entries against Sr. No. 12 the name of Shri G. C. Das shall be substituted by Shri S. K. Das as Shipowners' representative.

[F. No. 25(2)CR/90]
M. P. PINTO, Director General of Shipping

इंदिरा गांधी राष्ट्रीय मुक्त विश्वविद्यालय

नई दिल्ली, 29 जनवरी, 1997

का. आ. 440.—इन् अधिनियम, 1985 (1985 की संख्या 50) की धारा 25(2) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, प्रबंध बोर्ड, पं.एच.आर. डी. के पत्र संख्या प्र. 5-65/96-प. 1 (डैस्ट्र.)/डैस्ट्र. (पू.) (ए), दिनांक 21-11-96 द्वारा कुलाध्यक्ष की सहमति से, शैक्षिक परिषद की शक्तियों संबंधी संविधि 9क के खंड (क) में एक उपवंश जोड़ता है।

संविधि 9क के खंड (क) में जोड़े गये उपवंश को निम्नलिखित रूप से पढ़ा जाये:—

वर्षते ही शैक्षिक परिषद के संपूर्ण भार्ता निर्देशन और निगरानी के अन्तर्गत शोध संबंधी सभी मामले, शोध परिषद का दायित्व है, जिसके कार्य पौर गठन का प्रावधान अधिकारेष्वरों में किया जायेगा।

संशोधित संविधि, कुलाध्यक्ष के अनुमोदन की तारीख जो कि 21-11-1996 है, से प्रभावी होगी।

[श्रीराम जी/एडमिन(जी)/एस.टी. 9/89]
तिनक आर. कैम, कुल सचिव

INDIRA GANDHI NATIONAL OPEN UNIVERSITY

New Delhi, the 29th January, 1997

S.O. 440.—In exercise of the powers conferred by Section 25(2) of the IGNOU Act, 1985 (No. 50 of 1985), the Board of Management hereby adds a proviso to Clause (a) of Statute 9A on the Powers of the Academic Council with the assent of the Visitor conveyed vide MHRD's letter No. F. 5-65/96-U. 1(Desk)/ (U)(A) dated 21-11-96.

The proviso added to Clause (a) of Statute 9A will read as follows:—

Provided that all matters relating to research shall under the overall guidance and supervision of the Academic Council, be the responsibility of a Research Council whose functions and composition shall be provided in the Ordinances.

The amended Statute will be effective from the date of approval by the Visitor, i.e., 21-11-1996.

[No. IG/ADMN(G)/ST.9/89]
TILAK R. KEM, Registrar

थम मंत्रालय

नई दिल्ली, 23 दिसम्बर, 1996

का. आ. 441.—शैक्षिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतांत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुवंश में निर्दिष्ट

शैक्षिक विवाद में केन्द्रीय सरकार शैक्षिक अधिकारण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-96 को प्राप्त हुआ था।

[संख्या पत्र—L 2012/30/91-आई.आर.टी. 2]
समाचार, डैस्ट्र. शिक्षकारों

MINISTRY OF LABOUR

New Delhi, the 23rd December, 1996

S.O. 441.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 12-12-96

[No. L-2012/30/91 IR(B-II)]

SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT PANDU NAGAR, DEOKI PALACE ROAD

KANPUR

Industrial Dispute No. 95 of 1991.

In the matter of dispute between :
Prem Kumar Singh s/o Man Singh
Besan Chhaki 54/39 Nayaganj
Kanpur.

AND

Regional Manager
Punjab National Bank
Mall Road, Kanpur.

AWARD

1. Central Government Ministry of Labour, vide its notification No. L-2012/30/91 IR D-2 dated 25-6-1991, has referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Punjab National Bank in terminating the services of Sh. P. K. Singh is justified ? If not to what relief is the workman entitled ?”

2. At the outset it may be pointed out that in this case the concerned workman has been punished by way of dismissal on the basis of report of Enquiry Officer. In the claim statement the validity of domestic enquiry was challenged and a preliminary issue has been framed in the regard. In the written statement the opposite party bank has not reserved its right to prove the misconduct on merits before this

Tribunal in case the domestic enquiry is held to be vitiated. In view of settled law the management cannot be given fresh chance to prove the misconduct before this Tribunal in the absence of such reservation of right. As I am going to hold that domestic enquiry is vitiated and further as no fresh chance is to be given to the management before this Tribunal outright award is being given in the instant case.

3. The concerned workman was admittedly working as a peon at the Nayaganj branch of the opposite party Punjab National Bank. He was served by a chargesheet on 8-1-1988 the copy of which is Ext. W-1 on record. Earlier V. P. Joshi was appointed as enquiry officer, on his retirement S. K. Parida became enquiry officer. Subsequently P. K. Jain who had submitted the report became the enquiry officer. After completing enquiry the enquiry officer submitted his report on 6-1-1988. On the basis of this report the concerned workman was dismissed from service on 11-11-1989. Feeling aggrieved the concerned workman has raised the instant industrial dispute.

4. In the claim statement the concerned workman has challenged the fairness and propriety of enquiry report which fact was denied by the opposite party, in their written statement. Hence a preliminary issue was framed.

5. I have gone through the proceeding of the enquiry, the finding of the enquiry officer as well as the chargesheet, which are on record.

6. The first objection of the authorised representative of the concerned workman is that chargesheet is vague. I am inclined to agree with this contention. In the chargesheet it has been alleged that the concerned workman had withdrawn Rs. 1,90,000/- on various dates. The concerned workman had been crying hoarse from the very beginning that this chargesheet is vague, that he has not been furnished with the relevant papers to appreciate the contents of chargesheet. This statement was made even in his reply before the enquiry officer still the details of withdrawals were not given. However in the enquiry report these details have been scrutinised which vary from 30-3-87 to 13-7-87. It was because of non-furnishing of these details that the concerned workman maledgered and ultimately exparte proceedings were drawn. In my opinion, the concerned workman was certainly prejudiced because of non-furnishing of details of withdrawals in the enquiry. In this background failure to give the documents relating to these withdrawals before holding of enquiry has also prejudiced the concerned workman as in such case because principles of natural justice can be said to have been violated. Had the management given these papers to the concerned workman, could have been able to look the details of withdrawals and make out his defence keeping in view the persons who had passed the cheque or pay in slip as the case may be. I am satisfied that in the absence of these details and relevant papers, the concerned workman was not able to put proper defence in this case and it has caused prejudiced to him. Chargesheet is the foundation on

which the entire citadel of enquiry report is based. If the chargesheet is vitiated the whole enquiry proceedings would be rendered vitiated. I have no option but to hold like this.

8. There is another aspect of the case which shows that either the enquiry officer was not aware of the procedure of holding enquiry or has acted with prejudiced mind. In this case it will be relevant to mention the events which happened on 5-12-1988, the last date of hearing. From proceedings before the enquiry officer it appears that time and again the concerned workman had been ventilating his grievance about not supply of relevant documents and charge being vague. It appears that ultimately on 15-12-88 the enquiry officer was convinced about the genuine difficulty of the concerned workman hence he ordered that copies of the proceeding may be sent to the delinquent and last opportunity given fixing 20-1-1989 for hearing, to put up his defence. Still the enquiry was closed on 15-12-88. It is not understandable as to why proceedings were closed on 15-12-1988 when 20-1-1989 was fixed for putting up defence by the delinquent. It amounts to gross denial of adducing evidence in defence.

9. It has been alleged by the authorised representative of the management that the concerned workman had given in writing admitting his misconduct and money was also deposited by him hence this short coming may be ignored. The reply of defence representative is that this was obtained by inducement. The enquiry officer has not recorded any finding on it. Further as the concerned workman was not given proper opportunity in defence certainly he could not bring his case. Hence this so called admission could not be used in the absence of opportunity to the workman to explain it.

10. In the end for the above two reasons, enquiry is held to be vitiated. Consequently the punishment by way of dismissal is also not justified. Therefore, my Award is that dismissal of the concerned workman is bad in law and he is entitled for reinstatement. I am not awarding back wages as it will still open to the management to hold fresh enquiry after serving a valid chargesheet on the concerned workman.

11. Reference is answered accordingly.

Sd./-

B. K. SRIVASTAVA, Presiding Officer

नई विल्सी, 15 जनवरी, 1997

का. आ. 442—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उ. प्र. राज्य सीमेंट कारपोरेशन लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अमृदंग में निदिल्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक अधिकरण कानपुर के पंचाट द्वारा प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-97 को प्राप्त हुआ था।

[स. ए.ल-42012/8/94-प्राई. आर० (विविध)]

बी. प्र. डैविड, ईस्क अधिकारी

New Delhi, the 15th January, 1997

S.O. 442.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of U.P. State Cement Corporation Ltd., and their workman, which was received by the Central Government on the 15-1-1997.

[No. L-42012/8/94-IR(Misc)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR.

INDUSTRIAL DISPUTE NO. 21 OF 95

In the matter of dispute :

BETWEEN

Secretary, Bhartiya Cement Udyog Mazdoor Sangh Dalla, District Sonbhadra, U.P.

AND

U.P. State Cement Corporation, Dalla Cement Factory Dalla, District Sonbhadra.

AWARD

1. Central Government, Ministry of Labour, New Delhi; vide its notification No. 42012/8/94-IR (Misc) dated 18-1-1995 has referred the following dispute for adjudication to this Tribunal.

“Whether the action of the management of U.P. State Cement Corporation Ltd. Unit Dala Cement Factory in not regularising Sri Manjur Ahmad casual watch Mech. B in any pay scale although working as casual since 8-7-1976 is justified ? If not, to what relief the workman is entitled ?

2. The concerned workman Manjur Ahmad in his claim statement has alleged that he is working as Watch Mech., with the opp. party U.P. Cement Corporation Ltd Dala Unit in District Sonbhadra U.P. w.e.f. 8-7-1976. He had completed more than 240 days in every calender year yet he has not been regularised.

3. The opposite party has filed reply in which it has been alleged that the concerned workman is not working on a permanent post. Instead he is a casual labour and there is no permanent post of watch mechanic. Hence regularisation is not possible.

4. In the rejoinder nothing new has been said.

5. Thus, from the above pleadings of the parties it becomes clear that the concerned workman is working as casual watch mechanic since 1976. Indeed this fact has also been admitted by M.W.1 Sachhid Prakash. However, he has showed his ignorance if any post of watch mechanic exist or

not. He had further admitted that P.F. is deducted from the salary of the concerned workman and he has already been given pay slip. However, he is being denied annual increment.

6. The concerned workman has filed Ext. W.1 to W.12 which are in the nature of notings on the document in which the concerned workman has been shown as watch mechanic. From this evidence in my opinion it is fully established that the concerned workman has been working as watch mechanic since 1976, as a casual worker. It is well settled law that when one working on a post for long period there would be a presumption that such post is of permanent one as temporary work cannot be taken for such a long period. Hence, in the instant case drawing this inference it is held that the concerned workman has been working at a post carrying work of permanent nature. Hence, I see no justification for refusing to regularised him. The management has also filed papers to show that the opposite party corporation is facing financial crunch. It cannot be a ground for denying regularisation. If any adverse effect is to be faced by employees they will face together including the concerned workman. But that alone is no ground to refuse regularisation.

7. In the end my award is that the concerned workman is entitled for regularisation. The management is directed to regularise him within one year from the date of publication of award. In case if it is not done the concerned workman will be entitled for all facility including increments as a workman from the date of publication of award.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 15 जनवरी, 1997

का. आ. 443.—प्रौद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गोमती ग्रामीण बैंक, इलाहाबाद के प्रबन्धसंत्र के सबूद नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट प्रौद्योगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक अधिकारण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-97 को प्राप्त हुआ था।

[संख्या एल-12012/348/91- आई. आर. बी. 3]

के. बी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 15th January, 1997

S.O. 443.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Gomti Gramin Bank Allahabad and their workman, which was received by the Central Government on the 15-1-97.

[No. L-12012/348/91/IR B.3]

K. V. B. UNNI, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT PANDU NAGAR, KANPUR.

Industrial Dispute No. 61 of 1992

In the matter of dispute :

BETWEEN :

Akhlesh Kumar Srivastava
Vill Hardipur Post Sadar
District Jaunpur U.P.

AND

Chairman
Gomti Gramin Bank
Allahabad Varansi Road
Vazidpur Distt. Jaunpur.

AWARD

1. Central Government, Ministry of Labour vide its notification number L-12012/348/91 IR B-3 dated 24-3-92 has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Gomti Gramin Bank was justified in terminating the services of Sri Akhilesh Kumar Srivastava w.e.f. 1-6-87? If not to what relief the workman is entitled to?"

2. The case of the concerned workman Akhilesh Kumar Srivastava is that he was engaged as class IV employee in Gabhiran Branch of opposite party Gomti Gramin Bank in District Jaunpur on 2-2-1985. He continuously worked upto 31-5-1987 thereafter he fell ill and proceeded on one month's medical leave w.e.f. 1-6-1987. When after availing leave he came to join he was not allowed to do so. This amounts to retrenchment. As he had completed 240 days in a calendar year his retrenchment without payment of retrenchment compensation and notice pay is bad in law. Besides after his retrenchment one Bechan Yadav has been engaged.

3. The opposite party has filed reply in which it is alleged that concerned workman was engaged as part time casual worker w.e.f. 25-2-87 and not from 2-2-85 as alleged by the concerned workman. He had worked intermittently upto 16-5-1987 when he abandoned the job by stopping to come to attend office. Actually no application for medical leave was given and an application of casual worker for medical leave is not supposed to be accepted.

4. In the rejoinder it has been denied that the concerned workman had ever abandoned the job.

5. The concerned workman himself has filed copy of statement given by the management before ALC (C). It shows that the concerned workman had commenced work from 25-2-85 and had worked upto 16-5-1987. As it is the own document of the concerned workman it will be deemed that he did not dispute the correctness of the attendance of this documents. As has been noticed earlier the concerned

workman according to this statement had worked upto 16-5-1987. Hence the date of termination viz. 1-5-85 is apparently wrong. Hence the reference is defective.

6. In any case the management witness Jai Shanker Mishra Branch Manager of the management bank had stated that the concerned workman had himself left the job by stopping to come to office. There is no cross examination. Apart from this the concerned workman Akhilesh Kumar Srivastava w.w. 1 has also not refuted this fact. Hence from the unrebutted statement of management witness it is established that the concerned workman had himself left the work. The theory of proceeding on medical leave of the concerned workman also appears to be afterthought as the copy of such application has not been filed on record. Only medical certificate has been filed which is not enough.

7. In the end my finding is that the concerned workman was not retrenched. Instead he had himself abandoned the job. In such a case question of breach of section 25F & G of I.D. Act does not arise. Hence, the concerned workman is not entitled for any relief. I award accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 15 जनवरी, 1997

का. आ. 444.—श्रीदौषिंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे के प्रबंधतात्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निर्दिष्ट श्रीदौषिंगिक विवाद में केन्द्रीय सरकार श्रीदौषिंगिक अधिकरण, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-1-97 को प्राप्त हुआ था।

[संख्या एल-41011/50/91-श्रीदौषिंगिक (डीयू) /बी.-1]
के.वी.बी. उन्नी, डीस्क अधिकारी

New Delhi, the 15th January, 1997

S.O. 444.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway and their workman, which was received by the Central Government on 14-1-97..

[No. L-41011/50/91-IR(DU) [B.I]

K. V. B. UNNI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NO. 2, MUMBAI
PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/29 of 1993

Employers in relation to the Management of
Western Railway

AND

Their Workmen

APPEARANCES :

For the Employer—Mr. V. Narayanan, Advocate

For the Workmen—Mr. M. B. Anchan, Advocate

Mumbai, dated 23rd December, 1996

AWARD

The Government of India, Ministry of Labour by its Order No. L-41011/50/91-IR(DU), dated 24th March, 1993 had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Western Railway, Bombay in not fixing the seniority of four workmen namely, Sh. Abdul Satar, Sh. Chabi Lal, Sh. Taye Raj and Sh. B. R. Singh who were found surplus in Mechanical Deptt. and absorbed in PRS, CCG, BCT and not called for Trade Test is justified? If not, what relief the concerned workmen are entitled to?"

2. The Divisional Secretary of Paschim Railway Karmachari Parishad filed a statement of claim at Exhibit-2. It is contended that these workmen were surplus in the Diesel shed Bandra in the mechanical department. They were absorbed, transferred and posted in the senior divisional electrical engineer (CPW) CCG against the provisions of computerisation of passenger reservation at Bombay Central and Churchgate from the dates shown against their names :

Name	Designation	Date of Absorption
Shri Chabilal	ELF Grade III	8-10-87
Shri Thyag Rajan	ELF Grade III	8-10-87
Shri Abdul Satar	ELF Grade III	8-10-87
Shri B. R. Singh	ELF Grade-I	18-10-87

3. The union pleaded that in view of the railway boards instruction dated 21-4-89 they should have been given their original seniority after absorption in the new posting. It is pleaded that they were not assigned seniority in their respective

grades after the absorption. It is averred that the juniors were promoted further and these workmen who were seniors were left and they were not allowed to avail the promotional chances, since their seniority was decided in 1992. It is contended that between 1987—1992 there were several opportunities of trade tests/selections for further promotions which were denied to them as during that period they were not allowed seniority and they were not called for trade tests/selection. Their juniors were offered opportunities as they qualified and promoted further. It is averred that the delay in assigning seniority deprived all promotions for which they were rightful claimant. It is prayed that Chabilal, Thyag Rajan and Abdul Satar be assigned seniority from 8-10-87 and B. R. Singh for 18-10-87. It is also prayed that they should be promoted to the higher posts since juniors of these employers have been offered chances of promotion over looking these senior employees with other reliefs.

4. The Divisional Railway Manager resisted the claim by the Written Statement Exhibit 4A. It is averred that Abdul Satar and Chabilal employed in the scale of Rs. 950-1500 working in the mechanical department were found surplus and transferred and posted at Diesel Mechanical III in RAC Group at PRS|B.C.T. and C.C.G. electrical w.e.f. 8-10-87. However their seniority has been assigned having the same trade tests in D-Mechanical in RAC Group counting their services in mechanical department vide para 3(i) of the Railway Boards letter dated 21-9-81. So far as other two employees are concerned they had no knowledge of maintenance of R.A.C. work in mechanical department as they were required to be trade tested for the purpose of inducting their seniority in RAC group. Subsequently they were trade tested in RAC group having passed requisite tests and their seniority had been assigned as per the railway boards letter dated 21-4-89. It is submitted that under such circumstances the seniority of the workmen were not considered in the above departments is totally incorrect and denied. It is averred that after transfers, these employees were posted on the dates shown below :

Name	Designation	Date
Shri Chetlal	D Mech. III	8-10-87
Shri Thyagrajan	ELF III	8-10-87
Mr. M. A. Satar	D Mech. III	8-10-87
Mr. B. R. Singh	ELF I	18-10-87

It is submitted that after passing the trade tests the workmen were given necessary promotions. It is denied that they were not granted the payment as required. It is submitted that the claim is baseless. It is prayed that under such circumstances the reference is liable to be rejected.

5. The union filed a rejoinder at Exhibit-9. It reiterated its claim in the statement of claim. It is averred that Abdul Satar was appointed as a

Khalasi on 23-9-58 and was promoted as a D-Mechanic grade from 15-6-64. Then he was transferred to Ajmer division by railway administration. He was not given seniority at Bombay nor at Ajmer. In the year 1977 he was transferred to Karnad Bunder, Bombay in the same grade of administration and was further transferred to diesel shed at Bandra in 1984. In 1987 he was declared surplus alongwith three employees and was then transferred and posted as diesel mechanic grade-III in public reservation system. It is pleaded that his seniority was not considered from 16-6-84 and therefore was denied the seniority and promotions. It is pleaded that his juniors were promoted and he was not given promotions. It is asserted that they were not given seniority from the dates they were also declared surplus and also transferred to the public reservation system. It is submitted that while filling up the vacancies on account of promotions during the year 1989—92 they were not called for selections. Their juniors were called and were selected to the higher posts.

6. The issues that fall for my consideration and my findings thereon are as follows :

ISSUES

FINDINGS

Not justified

1. Whether the action of the management of Western Railway Bombay in not fixing the seniority of the four workmen who were found surplus in the mechanical department and absorbed in PRS, CCG, BCT is justified ?
2. Whether the managements action in not calling for trade tests or a selection is justified ?
3. If not, what relief the concerned workmen are entitled to ?

No.

As per final order.

REASONS

7. In written argument (Exhibit-7) filed by the union in paragraph-3, it is contended that since Abdul Satar Khan is retired from service and as Shri Chabilal has not come forward to lead evidence it is now confining its claim to Bishan Singh, R. Thygaraian only. But so far as the written statement which is filed by the management at Exhibit-18 is concerned there is amendment of it. It can be seen that in the evidence which is lead by Bishan Singh (Exhibit-10) there is a reference to the facts of these two workmen. This submission which is made on behalf of the union cannot be accepted as the evidence is on the re-

cord. It is not necessary that party himself has to lead oral evidence when there is sufficient evidence on the record or the documents on the record speaks for that particular workman. Further more I have to give answer to the reference which is send by the Government for adjudication. Under such circumstance I am not inclined to accept the request made in paragraph-3 in the written argument.

8. From the testimony of Bishan Singh (Exhibit-10) Thyagtajan (Ex-11) the workman and Lila Ramesh Budhbhatti (Exhibit-14) Asstt. Personnel Officer certain facts can be said to be not disputed. These workmen were working in diesel shed, Bandra in the mechanical department of the Western Railway. Abdul Satar, Chabilal and Thyagtajan were in Grade-III and Bishan Singh was in Grade-I. On their absorption in electrical (power) department in the same post and grades the first three were absorbed on 8-10-87 and the last one was absorbed on 18-10-87. The union and the management relied for fixing the seniority in terms of railway boards letter dated 21-4-89.

9. The management had produced the railway boards letter dated 21-4-89 at (Exhibit 5/2). The subject of this letter is "Man Power Planning-Absorption/Utilisation of surplus staff". It has a reference to railway boards letter dated 24-4-89 which deals with absorption. Paragraph-3 of the said letter is material for deciding the reference. It states "When deploying the surplus staff to, other Units/Depts. which constitute a different seniority unit, the following methods can be adopted :—

(1) If only a number of staff are being rendered surplus and they have to be transferred to various units of other departments against vacancies of duly sanctioned posts, they can be suitably adjusted in these units with their full seniority and merging their seniority in the respective units.

10. So far as paragraph 3(ii) and paragraph 3(iii) of the said letter is concerned it deals with a large number of staff who are rendered surplus. So far as the present reference is concerned it relates to four employees and they were found surplus in mechanical department. That figure itself denotes that it cannot be said to be a large number of staff as categorised in paragraph-3(ii) and paragraph (iii) of the said letter. The management had relied upon the contents of paragraph 3(i) which I have already referred to above. Lila (Exhibit-14) the Asstt. Personnel Officer in her evidence had categorically stated that the seniority is given as per that paragraph. It is not in dispute that these employees were given seniority only after their completing their trade tests in that department. This paragraph nowhere deals with

any trade tests. The case of tests is appearing in other two clauses. It is therefore incorrect to say that unless they pass the trade tests the seniority cannot be fixed.

11. Bishan Singh affirmed that Abdul Satar was not given seniority since 1964. He was then transferred to Ajmer and again brought back in 1977 and then transferred to diesel shed at Bandra in 1984. He affirmed that all of them were not given the seniority in their regional departments and they were declared surplus in 1987. None of them were called for the trade tests in 1989, 1991 and 1993. Their juniors in the same scale and also new recruits were called for trade tests and were promoted. When they complained to the vigilance department they too were promoted in 1993 and so far as a Abdul Satar, Thyagrajan and Chabi Lal are concerned on complaint to the vigilance department they were promoted in 1992. He affirmed that their juniors were promoted earlier than them. So far as this position is concerned there is no dispute. From the cross-examination of Bishan Singh and that of Thyagrajan nothing has come on the record to show that the claim which is made by them is unjust. From the letter dated 21-4-89 it is very clear that on absorption in other department they are to be given full seniority, merging their seniority in their respective units. As this is so all these workmen should get the seniority as per their seniority in mechanical department before absorption. As that was not done they were not called for the selection nor for the trade tests. This action is obviously incorrect. There is no record to show that when these employees were called for trade tests. They failed at one attempt and were not capable of fulfilling the conditions of the new assignment.

12. It is tried to argue on behalf of the management that there is a delay in the reference which is not explained at all. This argument is advanced at the time of the argument and not in the written statement. But in the testimony of Leela there is a mention of this fact. Even for the sake of argument it is said that this contention is taken in the written statement—I do not find merit in it. The letter on which the reliance is placed by the union and the management is dated 21-4-89. Thereafter these workmen might have approached to the authorities and then to the labour commissioner. After conciliation, i.e., after failure the commissioner must have reported the matter to the Labour Minister and thereafter the reference. I therefore find that the reference is not delayed at all. In other words there was no delay by the workman in raising the dispute before the competent authority.

13. I may make it clear that so far as the claim of Abdul Satar which is tried to be raised by Bishan Singh in his evidence that he was not

given seniority since 1964 cannot be considered at this juncture. What I have to see that their seniority in the mechanical department when they were found surplus. That has to be taken into consideration while fixing their seniority in electrical department, when they were absorbed there.

14. The management committed an error by not fixing the seniority of these employees after absorption as per their regional seniority in the mechanical department. The result was that they could not be called for trade tests nor for selection for the promotional posts. This was not the fault of the worker. As this is so they cannot be deprived of their legitimate claim which they have made in their statement of claim. Under such circumstances I record my findings on the issues accordingly and pass the following order :

ORDER

The action of the management of the Western Railway Bombay in not fixing the seniority of the four workmen namely, Abdul Satar, Sh. Chabilal, Sh. S. Thyagarajan and B. R. Singh who were found surplus in the mechanical department and absorbed in PRS, CCG, BCT and not called for trade tests is not justified.

The management is directed to give the seniority to these employees as per their seniority before absorption.

The management is further directed to give promotion of the higher posts to these employees on the dates on which their junior employees were promoted.

The management is further directed to make the payment of wages after the above stated national promotions to these employees after deducting the already drawn wages, within three months from the notification of the award.

S. B. PANSE, Presiding Officer

नई दिल्ली, 15 जनवरी, 1997

का. आ. 445—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उच्च रेलवे, मुरादाबाद के प्रबंधता के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदीगिक विवाद में केन्द्रीय सरकार श्रीदीगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-97 को प्राप्त हुआ था।

[संख्या एल-41011/2/89-डी-2वी]

के. बी. बी. उत्ती, ईस्क अधिकारी

New Delhi, the 15th January, 1997

S.O. 445.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Moradabad and their workman, which was received by the Central Government on 15-1-97.

[No. L-41011]2/89-D-2B]
K. V. B. UNNI, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 279 of 1989

In the matter of Dispute :

BETWEEN

B. D. TIWARI,
Zonal President,
Uttar Railway Karamchari Union,
96/196 Roshan Bazaj Lane,
Ganesh Ganj, Lucknow.

AND

Divisional Superintending Engineer,
(Co-ordination) N. Rly. Moradabad.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-41011]2/89-D-2(B) dated 2-11-1989 has referred the following dispute for adjudication to this tribunal :—

Whether the action of the management of Northern Railway Moradabad Division in terminating the services of S/o Shri Behari Singh S/o Kalwa Singh, Rajpal S/o Kalwa Singh & Hariraj Singh S/o Durga Singh w.e.f. 13-3-97 is justified? If not to what relief the concerned workmen are entitled to?

2. This reference relates to Behari Singh, Rajpal and Hari Raj. Their case is that they were engaged on 7-12-77, 6-11-78 and 8-5-78 respectively. After completing 240 days they became regular employees. Yet their services were illegally terminated by order dated 3-3-87 without payment of notice pay and retrenchment compensation and flouting the principle of last come first go.

3. The opposite party has filed reply in which it is alleged that the concerned workmen had ob-

tained employment by over writing in their service card. Hence a show cause notice dated 2-2-87 was given to them but they did not reply. Hence they were removed from service.

4. In the rejoinder the fact of forgery had been denied.

5. In support of their case the concerned workmen has filed their affidavit where as Kishan Lal Head Clerk MW(1) was examined besides exhibit M-1 to exhibit M-19 were filed. Exhibit M-7 is the photo copy of Behari Singh in which the date of birth has been altered from 11-1-51 to 13-12-56 because there is over writing in the age. Further date of employment has also been altered from 17-10-78 to 7-12-78. Exhibit M-12 is the service card of Rajpal once again shown that date of birth has been altered so as to show age as 19 years. Further from 12-11-78 the date of joining has been changed to 14-2-76. Exhibit M-17 is the service card of Hari Raj in which the date of joining originally shown as 14-10-81 it was altered to 8-5-78. There is no dispute that a show cause notice was issued to the concerned workmen but they did not reply. In my opinion in the absent of any explanation the opposite party railway was justified in terminating their services without holding any further enquiry. There was also no need for compliance of provision of Section 25F and G.I.D. Act.

6. Hence my award is that the termination of concerned workmen is justified and they are not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 15 जनवरी, 1997

का.प्रा.-446—ग्रोष्टोगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रारा 17 के अनुसार में, केन्द्रीय सरकार, उत्तर रेलवे, इलाहाबाद के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निर्दिष्ट ग्रोष्टोगिक विवाद में केन्द्रीय सरकार ग्रोष्टोगिक अधिकारण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-97 को प्राप्त हुआ था।

[संख्या एल-41012/63/90—शार्फ आर डीयू बी-1]

के.श्री.बी. उल्ली, ईस्क अधिकारी

New Delhi, the 15th January, 1997

S.O. 446.—In pursuance of Section 11 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kannur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Railway, Allahabad and their

workman which was received by the Central Government on the 15-1-1997.

[No. L-41012/63/90-IR(DU)B. I]
K. V. B. UNNI, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR.

Industrial Dispute No. 35 of 1991

In the matter of dispute :

BETWEEN

Dinanath Tiwari,
Upadhyaksh Uttar Railway Karamchari Union,
2 Navin Market Parede Kanpur.

AND

Divisional Railway Manager,
Uttar Railway Allahabad.

AWARD :

1. Central Government, Ministry of Labour, vide its notification No. L-41012/63/90 IR(DU) dated 2-4-91, has referred the following dispute for adjudication to this Tribunal :—

Kya Mandal Rail Prabandhak Uttar Railway Allahabad dwara Pravar Vidyut Foremen(General) Uttar Railway Ftwah ke Admin Bhoorpurva Shramik Sri Chandrama Rai ko dinak 15-2-82 se nishkashit Karna novochit hai ? Yadi Nahi to sambandhit karmkar kis anuthosh ka haqdar hai?

The case of the concerned workman Chandrama Rai is that he was engaged as casual khalasi on 2-7-81 by opposite party northern railway and he worked upto 13-4-82. When his services were terminated without any notice or compliance of other provisions of law. It is further alleged that along-with the concerned workman 11 others were also removed from service. Later on they were taken back but the concerned workman has not been reinstated hence there has been discrimination.

3. The opposite party has filed reply alleging that the concerned workman has obtained engagement by putting forth untrue facts hence his services were dispensed with. His case is not analogous to that of 11 persons.

4. In the reioinder nothing new has been said.

5. There is Ext. W-8 the copy of written statement filed by the opposite party northern railway before ALC(C) Kanpur in which it was pointed out that the case of 11 persons did not relate to

there securing of appointment by illegal means whereas the case of Chandrama Rai was based on such ground. Hence the case of eleven other persons was not identical to that of concerned workman.

6. From the above it is obvious that the case of the concerned workman is not based on similar facts and circumstances. Hence principle of parity cannot be claimed.

7. There is certainly lacuna in termination of the concerned workman by the opposite when they did not held any enquiry or even did not issue show cause notice against his alleged misconduct of securing employment by setting up untrue facts. In its absence in my opinion, this termination is bad.

8. In view of above my award is that termination of the concerned workman is bad in law. Still he will not be entitled for reinstatement and back wages as this reference has been claimed at very belated stage.

9. In the end, the ends of justice will be adequately met by awarding him Rs. 5000 as compensation in lieu of reinstatement. I award accordingly.

9-1-1997

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 21 जनवरी, 1997

का. आ. 447 श्रीबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डि. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, दावेंग में निर्दिष्ट श्रीबोगिक विवाद में केन्द्रीय सरकार, श्रीबोगिक अधिकरण, नई दिल्ली के पंचाट को प्रताशित करती है, जो केन्द्रीय सरकार को 20-1-97 को प्राप्त हुआ था।

[सं. एल-42012/48/89-डी 3(बी)]

के. वी. वी. उण्णी, ईस्क अधिकारी

New Delhi, the 21st January, 1997

S.O. 447.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of CPWD and their workman, which was received by the Central Government on 20-1-1997.

[No. L-42012/48/89-D3(B)]

K. V. B. UNNI, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI
I. D. No. 2/90

In the matter of dispute :

BETWEEN

Shri Ram Phool through Mahasachiv, CPWD Mazdoor Union, E-26, Raja Bazar, Baba Kharak Singh Marg, New Delhi.

VERSUS

Deputy Director (Horticulture)
East Division, CPWD,
I. P. Bhawan,
New Delhi.

APPEARANCES :

Workman in person.

None for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/48/89-D-3(E) dated Nil has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of CPWD in reverting Shri Ram Phool from the Post of Black Smith to the Post of Khalasi w.e.f. 27-4-85 was justified ? If not to what relief the workman is entitled to ?"

2. The facts as stated in the statement of claim by the workman are that he was initially employed on muster roll as Black Smith w.e.f. 16-7-81 and continuously served upto 26-4-85. On 27-4-85 he was reverted to the post of Khalasi arbitrarily. There were other black smiths from the work charge category as well as muster roll category but none of them was reverted by the management. This reversion by the management was arbitrary, wrongful and liable to be set aside. Hence this reference.

3. The Management in its written statement alleged that the name of the workman was sponsored by the Employment Exchange and he was appointed as a Black Smith on muster roll purely on daily wages and on temporary basis on 16-7-81. Later on a regular black smith was posted in accordance with the rules against the regular vacancy by the Mechanical Workshop Division. The service of the workman being a daily rated worker were no longer required. On his own request, he was allowed to work on Muster Roll as a Khalasi. The Management has never reverted the workman and

the workman is performing the duties of a Khalasi since that date. The claim of the workman was liable to be dismissed on this score alone. The Management examined Shri Chote Singh, Deputy Director MW1 and the workman himself appeared as MW1 in support of his case. I have heard representative for the workman and have gone through the case. The Management absented on 3-3-92 and was proceeded against ex parte.

4. The workman representative has urged that the statement of the workman has not been contested by the management and the workman has not been cross-examined at all. There is nothing to disbelieve the statement of the workman while his affidavit has also proved his case. The Management never appeared in this case, thereafter, nor urged any arguments. On the evidence of the workman I am of the view that the action of the Management in reverting the workman to the post of Khalasi was not justified. No written request of the workman has been placed on record for reverting him to the post of Khalasi. I am, therefore, of the view that the action of the management was not justified and the workman deserves to be reinstated as Black smith has claimed by him. Since he is in the employment of the management as Khalasi and shall be paid the difference of wages he has been paid as Khalasi and which he ought to have been paid as black smith upto the date of his reinstatement. Parties shall, however, bear their own costs.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 17 जनवरी, 1997

का.आ. 448--प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्युत्तर में, केन्द्रीय सरकार बैंक ग्राम राजस्थान, जैलोर के प्रबन्धतान्त्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विघट प्रौद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भारत में के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-1-97 को प्राप्त हुआ था ।

[संख्या एल-12012/150/95 आई. आर. (बो-1)]
पी. जे. माईकल, ईस्क अधिकारी

New Delhi, the 17th January, 1997

S.O. 448.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Ajmer, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Rajasthan Ltd. Jalore and their workman, which was received by the Central Government on the 16-1-97.

[No. L-12012/150/95-IR(B-I)]

P. J. MICHAEL, Desk Officer

अनुबंध

श्रम न्यायालय एवं आंदोलिक न्यायाधिकरण
अजमेर

सी.आई.टी.आर. 12/96

भारत सरकार के श्रम मंत्रालय का आदेश

एल-12012/150/95 आई.आर. (बी)

दिनांक 9 अक्टूबर, 1996

श्री भरता राम पुत्र श्री फौजी, पो.आ. बलवारा,
जालौर, 343001

प्रार्थी श्रमिक

बनाम

शाखा प्रबन्धक, बैंक आफ राज. लि. जालौर
अप्रार्थी नियोजक

“समक”

श्री हरि सिंह यू. अस्तानी, आर.एच.जे.एस.
पीठासीन अधिकारी

प्रार्थी की ओर से
अप्रार्थी की ओर से

कोई उपस्थित नहीं
कोई उपस्थित नहीं

अवार्ड

4 जनवरी, 1997

1. भारत सरकार ने निम्न विवाद अधिनिर्णयार्थ इस न्यायाधिकरण को प्रेषित किया है :

“Whether the action of the management of the Bank of Rajasthan Ltd. in terminating the services of Sh. Bharata Ram S/o. Shri Fuaji ex peon Cum-farash in their Jallore branch w.e.f. 21-9-96 is just and legal ? If not to what relief is the worker concerned entitled ?”

2. प्रार्थी ने स्टेटमेंट आफ क्लेम दायर करने के बजाय इस न्यायालय को पत्र भेजा है जो 19-11-96 को प्राप्त हुआ। प्रार्थी ने उस पत्र में यह लिखा है कि तारीख पैशी 18-11-96 को वह बीमार होने के कारण नहीं आमका और साथ ही उसने यह लिखा है कि वह सम्बन्धित रिकार्ड भेज रहा है और गरीब व्यक्ति है और बकील का खर्च बहुन करने में समर्थ नहीं है और रिकार्ड के आधार पर ही उसके विवाद का निर्णय कर दिया जाये।

3. मेरी राय में प्रार्थी को इस न्यायालय में क्लेम पेश कर उसकी सत्यता को सत्यापित करना चाहिए तथा अपने क्लेम के समर्थन में अपना पापात्रता भी पेश करना चाहिए परा और इस सबके बावजूद केवल आक से पत्र या कुछ कागजात भेज देने से न्यायालय इस बात का निर्णय नहीं कर सकता कि उसकी सेवा मुक्ति नियोजक द्वारा उचित थी या नहीं।

4. इन समस्त हालात में ऐसा प्रतीत होता है कि प्रार्थी अपने क्लेम के प्रति अधिक गंभीर नहीं है या उसे चलाने में विषेष रुचि नहीं रखता। अतः ऐसी स्थिति में “नो डिस्प्लॉइ अवार्ड” (कोई विवाद नहीं) अवार्ड पारित किया जाता है।

हरि सिंह यू. अस्तानी, आर.एच.जे.एस., न्यायाधीश

नई दिल्ली, 16 जनवरी, 1997

का.प्रा. 449.—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लक्ष्मी विलास बैंक लिमिटेड, के प्रबंधतां के संबंध नियोजकों और उनके कर्मनारों के बीच, अनुबंध में निर्दिष्ट विवाद में, आंदोलिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-97 को प्राप्त हुआ था।

[संख्या एल-12011/8/86-डी-4(ए)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 16th January, 1997

S.O. 449.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal. Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Lakshmi Vilas Bank Ltd. and their workmen, which was received by the Central Government on 15-1-1997.

[No. L-12011/8/86-D.IV (A)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Tuesday, the 12th day of November, 1996

PRESENT :

Thiru S. Thangaraj, B.Sc., LL.B., Industrial Tribunal.

Industrial Dispute No. 73 of 1987

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Lakshmi Vilas Bank Ltd., Karur)

BETWEEN

The workmen represented by

The General Secretary,
The Lakshmi Vilas Bank Employees' Union,
28 HR Kovil Street,
Karur-639001.

AND

The Chairman,
The Lakshmi Vilas Bank Ltd.,
Sangunthapuram,
Karur-639001.

REFERENCE :

Order No. L-12011/8/86-D.IV (A), Ministry of Labour, Government of India, New Delhi dated 25-6-87.

This dispute coming on for final hearing on Thursday, the 19th day of September, 1996 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K. Chandru Advocate appearing for the workmen and of Thiru T. S. Gopalan, Advocate appearing for the management and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

Government of India, vide their Order No. L-12011/8/86-D.IV (A), Ministry of Labour, dated 25-6-87, have referred this dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication of the following issue :

"Whether the action of the management of Lakshmi Vilas Bank Ltd., in terminating the services of 32 workmen sub-staff as listed in annexure is justified. If not, to what relief the workmen concerned are entitled to?"

ANNEXURE

Sl. No.	Name of the workman
S/Shri	
1. V. Arumugam	
2. N. M. Maheswaran	
3. R. Gunanadass	
4. M. Sankaranarayanan	
5. V. N. Dhandapani	
6. P. Ganesan	
7. A. Venkatesan	
8. A. Sabir Ahamed	
9. G. Ramachandran	
10. V. Gopalakrishnan	
11. M. Elango	
12. V. Shamugarajan	
13. A. Rajan	
14. G. Karunanadhi	
15. G. Balasubramanian	
16. S. Ramadurai	
17. G. Thiagarajan	
18. P. Murali	
19. G. Kumar	
20. S. Kamarthi	
21. P. S. Chandrasekaran	
22. V. Natarajan	
23. S. Palanisamy	
24. Hanumanthacher	
25. K. Rajendran	
26. S. Srinivasan	
27. J. R. Annatharaman	
28. N. Balasubramanian	
29. P. Ravichandran	
30. R. Maran	
31. E. K. Girish	
32. B. Ramachandran	

On services of notice both the petitioners and respondent appeared before this Tribunal and filed their claim and counter statement respectively.

3. The main averments found in the claim statement are as follows :

The petitioner-union is a body registered under the Trade Unions Act, and it is also a recognised union by the respondent-management. In the respondent bank temporary peons are engaged in leave vacancies of permanent peons. By a circular dated 12-10-73, the respondent prescribed the minimum qualification for the post of temporary peons as a pass in SSLC. On 4-6-80 the wages of these temporary peons were raised from Rs. 8 to Rs. 9 per day and the qualification was prescribed as 10th Standard in the new pattern or SSLC in the old regulation. It was also agreed during the discussion on 23-4-79 that the temporary sub-staff recruitment will be done on a ratio of 10 : 1 as between the old and the new hands. The respondent also agreed to maintain a panel for the future appointments of permanent peons and the ratio of old and new hands was fixed as 9 : 1. It was also agreed that the cadre strength of temporary peons was to be 50% of the regular vacancies of the branch/office level. However, without any consultation with the union, the respondent selected 50 peons and posted them. Though it was specifically agreed that 125 peons will be selected from the panel and selection to be made on the basis of seniority the respondent did not implement the same. The respondent has also reduced the qualification for the recruitment of post

of temporary peons as 8th standard fail. The action of the respondent was contrary to the previous agreements. On 27-4-85, the petitioner-union sent a protest letter to the respondent and requested them to reconsider the appointment. The employees, who had put in 240 days of service during the period of 12 calendar months were suddenly terminated by the respondent on the ground that they were "over qualified". The respondent has not followed the procedure prescribed under Section 25-F of the I. D. Act, 1947 before the termination. The appointment of new hands without offering the post to the workmen already engaged is contrary to the provisions of Section 25-B of the I. D. Act, 1947. The action of the respondent was nothing but unfair labour practice which is prescribed under Section 25-F read with Fifth Schedule of I. D. Act. The termination of 32 workmen is contrary to the agreement entered into between parties earlier. The respondent unilaterally cannot reduce the qualification and thereby deprive the rights of persons. Award may be passed holding the termination of 32 workmen as not justified and consequently direct their re-employment with back wages, continuity of service and all other attendant benefit.

4. The main averments found in the counter filed by the respondent are as follows :

The petitioner-union has raised this dispute under Section 2-K of the I. D. Act, 1947 and the dispute should have been espoused by a substantial section of workmen of the establishment. The petitioner-union has not shown its competence and authority to raise the dispute on behalf of the 32 workmen and the union lacks representative character and therefore the dispute is not a valid industrial dispute. The casual sub-staffs are engaged in the leave vacancies of permanent sub-staffs. On 4-6-80, the petitioner-union made a representation and accordingly the qualification for the temporary sub-staff was fixed as a pass in 10th Standard instead of pass in SSLC. The daily wage was also increased from Rs. 8 to Rs. 9. It was also agreed between the parties that a temporary sub-staff who has completed minimum period of service of 50 days will be included in the list as on 1st January of every year, to be called for a test and interview and the seniority shall be maintained regionwise in Tamilnadu. In September 1983, the respondent decided to pay wages to the temporary sub-staff at the rate at which the wages were paid to the permanent sub-staff. As per the decision taken on 9-11-84, 709 temporary sub-staff were called for an interview and 398 appeared for the test and interview on the basis of the test and interview a panel of 166 candidates were prepared by March 1984 and the board decided on 5-1-85 that 50 candidates will be appointed against the permanent vacancies. Again in February 1985, from the said panel appointment was given to 49 candidates against permanent vacancies. The non-engagement of the sub-staff would not amount to termination or retrenchment and therefore the respondent has not violated Section 25-F of the I. D. Act. It was never envisaged that a panel would be kept alive for more than one year and all the persons included in the panel would get employment. The respondent is empowered to prescribe qualification for temporary sub-staff and the petitioner cannot challenge the same. The respondent bank is not obliged to give any reason for not engaging a particular person as a temporary sub-staff. The non-engagement of 32 sub-staffs mentioned in the annexure to the order of reference would not amount to termination and there was no question of the respondent having violated any of the agreements. The bank is entitled to prescribe qualification for the temporary sub-staff on its own volition and in exercise of the authority vested in it for engagement of sub-staff. Unless a person was a workman and had put in 240 days of service within a period of 12 calendar months, within the meaning of Section 25-B of the I. D. Act, 1947. Section 25-F will not be attracted. Therefore, the grounds raised by the petitioner are in valid in law and award may be passed dismissing the claim.

5. One witness was examined on the side of the petitioner and Exs. W-1 to W-3 were marked. No witness was examined on the side of the respondent bank. Exs. M-1 to M-16 have been marked on their side.

6. The point for consideration is "Whether the action of the Management of Lakshmi Vilas Bank Ltd., in terminating the services of 32 workmen sub-staff is justified? If not, to what relief the workmen concerned is entitled?"

7. The Point—The respondent is Lakshmi Vilas Bank Ltd., Karur. The petitioner-union is one of the recognised unions of the management. It is clear that in many of the agreements entered into between the management and the worker's Union, Sri T. Selvaraj, who was also examined before this Tribunal as WW-1 has signed either as President, or General Secretary of the said Union. However, the management has contended that the respondent has no representative capacity to espouse the cause of these 32 workmen concerned in the dispute. WW-1 has signed all the settlements including Ex. M-16 the latest one. It is apt to cite a ruling of our High Court in workmen of Brooke Bond India Ltd., Vs. Industrial Tribunal (1989 II LLN P. 692) wherein our High Court held;

"However it has got to be noted that the strength of workmen espousing the causes must lead to a legitimate inference that the dispute is one which affects the workmen as a class. The industrial dispute could be taken up, either by the union of workmen or by an appropriate number of workmen of the management. To put it in other words, it must be a collective dispute and that alone will constitute an industrial dispute. The concept of a collective dispute should not be construed to mean that all the workmen of the management or a majority of them should sponsor and support the dispute. It would be sufficient, if the industrial dispute has the support of a substantial body of the workmen concerned in the management. The industrial dispute could be raised even by a minority union or by an unrecognised union. The above propositions could not be disputed since they are those gleaned from the pronouncements of the highest Court in the land."

From the said decision of our High Court, it is clear that the concept of a collective dispute should not be construed to mean that all the workmen of the management or a majority of them should sponsor and support the dispute. It would be sufficient, if the industrial dispute has the support of a substantial body of the workmen concerned in the management. From most of the documents filed on the side of the management that the petitioner-union has represented the workmen as the recognised union of the respondent-management. Therefore, the contention of the management that the petitioner-union has no representative capacity to espouse the cause of the 32 workmen cannot be accepted.

8. In the absence of the permanent peon, in the head office and various other branch offices of the respondent bank casual peons were recruited to fill up the vacancy. In course of time, due to various settlements between the management and workers' unions' qualifications have been prescribed for the engagement of sub-staff. In Ex. M-4, settlement dated 1-7-83 for appointment of sub-staff or temporary peons the maximum age limit was prescribed as 24 years and the qualification as SSLC/Matric passed in old regulation or 10th standard in +2 system. The respondent bank has also maintained a panel of eligible candidates for the appointment of temporary peons. In the meeting held between the petitioner and the respondent-management, it was decided to appoint temporary peons. Accordingly 709 temporary sub-staff were called for an interview and 398 appeared for the test and interview and the management selected 166 candidates. Among them 50 were appointed against permanent vacancies and thereafter 49 appointed against permanent vacancies. When the appointments were made according to the prescribed norms, the management thought fit to revise the norms already fixed. Accordingly Ex. M-7 resolution was passed by the Directors at the Board meeting held on 2-2-85. To constitute a fresh panel of temporary peons, at the branches, the norms fixed, were the candidates approved by the Personnel Department alone will be engaged as temporary peons (i) the maximum age limit to enter as temporary peons was fixed as 25 years and (ii) qualification 8th standard fail. By prescribing these norms, the management has not employed the 32 workmen

who were originally in the panel and who are concerned in this dispute. It is the case of the petitioner-union that as per the settlement arrived at between the parties, these 32 persons whose names were there in the panel were eligible for appointment as temporary peons and the management has no right to alter the qualification for the appointment of temporary peons. The management has stated that they are empowered to prescribe qualification for the appointment of temporary peons and they can also refuse to give employment to any person who fail to fulfill the qualification. Failure to appoint the 32 persons concerned in the dispute is not on account of termination of service and as members of panel awaiting their posting in the leave vacancies they cannot claim any right for appointment.

9. The management had entered into earlier settlements with the union to fill up the leave vacancies of sub-staff and the prescribed qualification was a pass in SSLC/Matric in the old regulation or a pass in the 10th standard in the +2 system. The maximum age was fixed as 24 years. The management has changed the said qualification under Ex. M-7 wherein maximum age limit was 25 years and the qualification was 8th standard fail. The petitioner-union has contended that unilaterally the management has changed the qualification for the appointment of the post of temporary peons. In Ex. M-10, the management has stated that there is no provision in the I. D. Act, relating to regulation and hence the union is not entitled to question the policy of the management. Further it was also contended that the management is empowered to prescribe the qualification for recruitment of temporary peons. It was argued on the side of the petitioner that when a better qualification of a pass in SSLC/Matric in the old regulation and a pass in the 10th standard in +2 regulation has already been fixed, the management cannot reduce the standard of the candidates and prescribe the qualification as 8th Standard fail, and this goes against the previous norms fixed. However, reducing the educational qualification and increasing maximum age limit from 24 years to 25 years is a power which management enjoys. Earlier, the management has prescribed the qualification after due consultation with the members of the trade union and it cannot take away the right of the management and at the same time such a procedure adopted by the management earlier cannot give any right to the trade union to question the qualification prescribed by the management. It is one thing to say that the management should prescribe the qualification only in consultation with the trade union and it is quite another thing to say that by prescribing the qualification somebody who is in service of the respondent has been affected. However, none of the persons who are already employed by the respondent-bank have been affected. It is only the 32 persons whose names find a place in the panel were alleged to have been affected by prescribing the lower standard as far as educational qualification is concerned. These persons were waiting for appointment. From the various exhibits marked in this case, it cannot be said that every person in the panel may be appointed in a future date. For the simple reason that the panel will be valid for a period of one year, if no appointment has been effected within a period of one year a new panel would be drawn from the eligible members. Therefore, the members whose names find a place in the panel cannot have any automatic right for appointment. However, we have to see how Ex. M-7 worked against 6 among 32 workmen whose names are stated in the annexure to the order of reference.

10. Ex. M-9 is the list filed by the management. Among the 32 persons, six of them i.e. Tyl. V. Arumugam, M. Maheswaran, R. Guhanadass, M. Sankaranarayana, V. N. Dhanda-pani and P. Kalyanankumar had worked for more than 240 days in consecutive months in a year. The first five had worked for more than 240 days in the calendar year 1984. The last one Sri P. Kalyanankumar had worked more than 240 days between January 1981 and December 1981. Therefore, these six persons though casuals had worked for more than 240 days in 12 consecutive months in a year as per the list Ex. M-9 submitted by the management. The number of days cited against the name of each one of them would be correct for the simple reason that the calculation is given by the management itself. According to the management, all these persons had worked more than 240 days within a period of 12 months. The number of days worked by each of them satisfies Section 25 B of the I. D. Act, 1947. When the respondent management has admitted that these six persons worked more than 240 days within a year, then to remove/terminate them, from service, Section 25-F of the I. D. Act,

1947 comes into operation. The management cannot contend by saying that since they were working in leave vacancy cannot claim continuous service. When six number of workmen worked for more than 240 days in a year, though casuals, their right is different from that of others. For terminating their service, the management has to give notice as contemplated under Section 25-F, however, the management has not given any such notice. They should be taken as workmen retrenched under Section 25-G of the I. D. Act. and as the retrenched workmen, they are entitled to get reemployment u/s. 25-H of the Act. Therefore, in respect of these 6 workmen, the management cannot contend that since they were casuals engaged in leave vacancies they are not eligible to claim continuance of service. The case of 26 workmen leave in these six workmen is different. They were members of a panel meant for their posting in the leave vacancies. When the management has prescribed difference standard for the said management one cannot compel the management to utilise their service continuously. Further they have not completed 240 days of work in any consecutive 12 calendar months to make further claim for continuance of service as per provisions of the I. D. Act, 1947. These 26 workmen cannot claim continuance of service.

11. To substantiate this contention, the management has submitted a decision of our Supreme Court in Prakash Cotton Mills Pvt. Ltd., Vs. The Rashtriya Mill Mazdoor Sangh (1987 I LLJ P. 97) at page 101 it was held :

"Indeed, a Badli workmen has no right to claim employment in place of any absentee employee. In any particular case, if there by some jobs to be performed and the employee concerned is absent, the Company may take in a Badli workman for the purpose. Badli workmen are really casual employees without any right to be employed. It has been rightly submitted by the learned counsel for the appellant, that the Badli employees could not be said to have been deprived of any work to which they had any right and consequently they are not entitled to any compensation for the closure."

This decision is applicable to the case of 26 workmen. However, the other 5 workmen who had already worked for more than 240 days in 12 consecutive months in a year, stand at different footing and they cannot be equated with the other 26 workmen to whom this decision is applicable.

12. From the foregoing decision, it is clear that these six workmen, Tvl. V. Arumugam, M. Maheswaran, R. Guhanadass, M. Sankaranarayanan, N. Dhendarani and P. Kalvanan Kumar are eligible for continuance of service from the date of their termination as sub-staff with back wages and all other attendant benefits. However, the other 26 workmen are not eligible for their claim.

In the result, award is passed holding that six workmen Tvl. V. Arumugam, M. Maheswaran, R. Guhanadass, M. Sankaranarayanan, N. Dhendarani and P. Kalvanan Kumar are eligible for continuance of service from the date of their termination as sub-staff with back wages, continuity of service and all other attendant benefits. The claim of 26 workmen are rejected. No costs.

Dated, this the 12th day of November, 1996.

S. THANGARAJ, Industrial Tribunal

WITNESSES EXAMINED

For workmen :

WW-1—Thiru T. Selvaraj.

For Management :

None.

DOCUMENTS MARKED

For workmen :

Ex. W-1/—Form-E Annual return submitted by Petitioner-Union for the year ending 31-12-84 (Xerox copy).

Ex. W-2/22-7-85—Minutes of the executive meeting held by the Petitioner-Union (Xerox copy).

Ex. W-3/27-7-96—Memorandum of Understanding arrived at between the representatives of the management and their workmen u/s. 18(1) of the I. D. Act, 1947 (Xerox copy).

For Management :

Ex. M-1/12-10-73—Circular regarding engagement of temporary peons in leave vacancy (Xerox copy).

Ex. M-2/23-4-79—Minutes of the Board's Staff Committee Meeting (Xerox copy).

Ex. M-3/4-6-80—Minutes of the discussions held between parties (Xerox copy).

Ex. M-4/1-7-83—Minutes of the discussions held between parties (Xerox copy).

Ex. M-5/13-9-83—Circular regarding engagement of temporary peons in the leave vacancy (Xerox copy).

Ex. M-6/9-1-84—Minutes of discussions held between parties (Xerox copy).

Ex. M-7/2-2-83—Board's resolution (Xerox copy).

Ex. M-8/18-5-85—Circular regarding eligibility for inclusion in the temporary peons panel (Xerox copy).

Ex. M-9/5-10-85—Letter from Petitioner-union to the Assistant Commissioner of Labour (Central) Madras (Xerox copy).

Ex. M-10/15-3-86—Letter from the Management to the Assistant Commissioner of Labour (Central) Madras (Xerox copy).

Ex. M-11/31-7-86—Conciliation failure report (Xerox copy).

Ex. M-12/—Xerox copy of Attendance Register for engagement of Thiru R. Guhanadass, temporary peon in leave vacancy.

Ex. M-13/1983-84—Ledger folio of Thiru R. Guhanadass (Xerox copy).

Ex. M-14/—Statement showing the engagement of Thiru R. Guhanadass (Xerox copy).

Ex. M-15/—Common award in I. D. Nos. 74/86, 78/86, 86/86, 1/87, 9/87 and 14/87 dated 13-11-89 of the Industrial Tribunal, Tamil Nadu, Madras (Xerox copy).

Ex. M-16/11-7-90—Minutes of the discussions held on 10-11-89 between Petitioner-union and the Respondent-management over recruitment and regularisation of persons engaged in leave vacancies (Xerox copy).

नई दिल्ली, 16 जनवरी, 1997

का.प्रा. 450—श्रीशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधनात्मक संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुवंश में निर्दिष्ट श्रीशोगिक विवाद में, केन्द्रीय सरकार श्रीशोगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-1-97 को प्राप्त हुआ था।

[संख्या एन-12012/59/92-आईआर (बी-2)]

व्रत मोहन, डिस्ट्रिक्ट अधिकारी

New Delhi, the 16th January, 1997

S.O. 450.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 15-1-1997.

[No. L-12012/59/92-IR (B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 70/92

In the matter of dispute :

BETWEEN

Shri Kamal Saini S/o Shri Govind Ram, Peon
C/o Delhi Labour Union, Aggarwal Bhawan,
G.T. Road, Tis Hazari, Delhi-110054.

Versus

The Management of M/s. Punjab National Bank
through its Manager, Mall Road, Delhi-110007.

APPEARANCES :

Shri C. P. Aggarwal—for the workman.
Shri Rajiv Bhalla—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/59/92-I.R. (B-II) dated 7-8-92 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Punjab National Bank, Mall Road, Delhi was justified in terminating the services of Shri Kamal Saini, S/o Shri Govind Ram as Subordinate staff w.e.f. 29-12-90 ? If so, what relief is the workman entitled to ?"

2. The workman in his statement of claim has alleged that he joined the employment of the management bank on 4-4-1990 as Peon but he was being treated as casual/daily rated/muster roll worker and was being paid @ Rs. 450 PM consolidated. This amount was much less than the one being paid to the other regular employees of that category and even the minimum wages fixed by the Delhi Administration were much higher than those being paid to him. His services were terminated w.e.f. 19-12-90 without assigning any reason. 4Wg/daily8p'nott.

The management has acted in an illegal unjust and mala fide manner because the job against which the workman was working was of a regular and permanent nature. He has claimed that he deserves to be reinstated with continuity of service and other consequential benefits like back wages.

3. The Management in its written statement alleged that he was a casual employee and was excluded from the terms of the Desai Award. His claim was misconceived and bad in law. He was actually engaged as a casual labour for doing certain jobs of casual nature such as filling of water in Desert Coolers, repairing of electrical items and furniture and shifting of stationery and old records etc. for such engagement. He was paid at the rate agreed from time to time. He was never performing any normal duty hours rather he was performing only particular casual jobs. He was never taken in the bank service and there was no question of termination of his services. He never performed the work of regular and permanent nature and his claim was totally false and baseless. He never completed 240 days continuous service for 12 months and the provisions of Section 25 of the I. D. Acts 1947 were not applicable to him.

4. The Management examined Harish Chander Grover Manager, MW-1 while the workman himself appeared as WW-1 in support of his case.

5. I have heard representatives for the parties and have gone through the file carefully.

6. The representative for the management has urged that the action of the management was fully justified because the workman was never appointed as an employee of the management and the question of paying him Rs. 450 PM did not arise. He was doing some casual job and was being paid as and when he performed the casual work entrusted to him. He was never employed on regular basis and was doing only specific work as and when required. He has further urged that the management was a public sector undertaking and no person could be appointed in such organisation without observing legal formalities. Appointment letters are issued to the persons working in these organisations and no employee could be engaged by any Manager on regular basis.

7. The workman representative on the other hand has urged and reiterated what has been alleged in the statement of claim.

8. A perusal of the points urged by the representatives of the parties and the evidence on the record, I am of the opinion that Shri Kamal Saini was never appointed as a Peon by the Management. In his cross-examination he has admitted that he did not submit any application for the job in the bank nor was his name sponsored by the Employment Exchange. No interview was held and no appointment letter was issued to him. He had been receiving payment by way of vouchers. This statement of the workman clearly establishes that he was not taken by the management on regular employment because no official in organisations like the management could be engaged on regular basis by any Manager. A regular recruitment board recruits persons of different categories and without any application or formal appointment letter no one can be appointed. There seems to be sufficient force in the contention of the Management that he was appointed as a casual labour for casual work and was being paid on the basis of voucher and no regular pay was given to him. He was not on the roll of the management and his name never appeared in the attendance register. No documentary evidence has been produced by the workman to show that he was engaged as a Peon by the Management. Rather the management has produced photo copies of the vouchers showing payments made to him from time to time. On 12-8-90 he was paid Rs. 88 on 12-9-90 Rs. 248 and other vouchers of different amounts numbering about 15. These documents were admitted by the workman representative and had come from the custody of the management. On the basis of these documents and the statements of the witnesses I am satisfied that the workman was never employed by the management as Peon as alleged by him and the question of his termination does not arise. In view of my discussion above I am of the opinion that the action of the management was fully justified and the workman was not entitled to any relief. Parties are, however, left to bear their own costs.

Dated : 9th January, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 16 जनवरी, 1997

का.आ. 451—श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ बड़ौदा के प्रवंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट श्रीद्योगिक विवाद में, केन्द्रीय सरकार श्रीद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-01-97 को प्राप्त हुआ था।

[संख्या एल-12012/215/90-प्राईम्यार(भी-2)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 16th January, 1997

S.O. 451.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 15-01-97.

[No. L-12012/215/90-I.R (B.2)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 23 of 1991
In the matter of dispute between:
General Secretary,

Bank of Baroda Staff Association,
Madhav Bhavan, 15/222-A,
Civil Lines, Kanpur.

AND

Regional Manager,
Bank of Baroda,
35 D-1, Anand Ashram Marg,
Bareilly.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-30012/295/90-IR B-2 dated 15th March, 1991 has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Bank of Baroda in refusing to pay difference of special assistant and head cashier category C allowance to Smt S. K. Seagal, Head Cashier, Modinagar Branch for the period from 23rd August, 1985 to the period he was asked to handover strong room keys is justified? If not, to what relief is the workman entitled?

2. According to claim statement on 15-11-85, the opposite party bank of Baroda had taken a stand in a meeting of U.F. Bank of Baroda Employees Union that special allowance will be payable to Head Cashier who handle strong rooms keys in addition to cash keys.

3. The case of the concerned workman S. K. Seagal is that he was head cashier at Modi Nagar Branch from 23-8-85. In that course he was entrusted with keys of strong room as well. Hence he became entitled for special allowance but the opposite party has not paid the same which he is entitled.

4. The opposite party bank of Baroda has denied the claim of the applicant on the ground that according to clarification issued by the management no such allowance was payable.

5. In the rejoinder nothing new has been said. None of the parties have adduced any oral evidence. Instead the management has filed the certified copy of award dated 30-7-95 rendered by this Tribunal in I.D. Case No. 27 of 1991. In this case like the present concerned workman one K. M. Gupta, head cashier of Budsin Branch had also claimed special allowance in the similar circumstances. This claim was decided and ultimately the claim of K. M. Gupta was turned down.

6. I have gone through the reasoning of this award and have also heard the authorised representative of the concerned workman. I see no reason to take a contrary view than that expressed in this award. Hence after over ruling the contention of authorised representative of the concerned workman and for the reasons recorded in the above mentioned award it is held that the concerned workman is not entitled for special allowance and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 जनवरी, 1997

का. प्रा. 452—श्रीबोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार हिन्दुस्तान पैट्रोलियम कार्पोरेशन लिमिटेड के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीबोगिक विवाद में, केन्द्रीय सरकार श्रीबोगिक अधिकार, (मा. 2) सम्बर्द्ध के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-1-97 को को प्राप्त हुआ था।

[संख्या पल-30012/5/94-प्राईमार (मिस.)/माइग्रारसी-1]

प्रज मोहन, इंस्क अधिकारी

New Delhi, the 20th January, 1997

S.O. 452.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hindustan Petroleum Corporation Limited and their workmen, which was received by the Central Government on 17th January, 1997.

[No. L-30012/5/94-IR(Misc.)/IR(C-J)]
BRIJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2,
MUMBAI

PRESENT

SHRI S. B. PANSE
Presiding Officer

Reference No. CGIT-2/12 of 1995.
Employers in relation to the Management of
Hindustan Petroleum Corporation Ltd.,

AND

Their Workmen.

APPEARANCES :

For the Employers : S|Shri S. K. Talsania &
V. H. Kantharia, Advocates.

For the Workmen : S|Shri S. S. Pakale and
R. V. Pillai Advocates.

Mumbai, dated 2nd January, 1997.

AWARD—PART-I

The Government of India, Ministry of Labour by its Order No. L-30012/5/94-IR(Misc.)/IR (Coal-I) date 1-6-1995 had referred to the following Industrial Dispute for adjudication.

“Whether the order dated 9-3-1993 passed by the management of Hindustan Petroleum Corporation Ltd., in dismissing the services of S|Shri J. K. More, D.B. Nerurkar and A. R. Namade is legal and justified? If not, to what relief the workmen are entitled?”.

2. The workmen J. K. More, D. B. Nerurkar and A. R. Nemade concerned in this reference have filed a statement of claim at Exhibit-4, 5 and 6 respectively. It is contended that at a relevant time they were working as weight bridge operators. Their work was good and they received the promotions timely. The nature of the duties of the workmen were essential to attend the pro-

cessing work at all movement and control centre at Bombay, Maul refinery, to receive crude oil from Butcher Island and then to pump it to main unit for refining. After the said oil is refined at the main unit to receive the same and to fill it in various tanks as per their respective grades. Thereafter to despatch the same to various terminals locations through pumps as per the process orders and to keep record of the same at every stage. The said terminals locations come under marketing divisions.

3. The workmen contended that the crime branch (control) C.I.D. received anonymous information regarding the theft of CBPS (Caroon oil) from H.P.C.L refinery at Maul, Chembur. It was received by Chembur Police station somewhere in September 1981. Thereafter one tanker was apprehended by the security department of the company of Hindustan Transport Company. It was referred to the Chembur Police Station and then further investigation was carried out. The tanker was belonging to M/s. Rajesh Road Lines.

4. On 14-3-86 the information was received by the C.I.D. police that the Rajesh Road Lines having a fleet of tankers with a capacity of 22 tonnes are being used to pilfering excess quantity of carbonoil. On that information a watch was kept on the movement of the motor tanker No. MCU-1914. It was followed by the police and on questioning the driver of MHS-5175 it was revealed that 10,000 litres of Caroon oil from the tanker MCU-1914. Then FIR was registered as Crime No. 15 of 1986. Then the investigation was carried out. These workers were apprehended. The charge-sheet was filed in 25th Court of Metropolitan Magistrate at Mazgaon. It was against many workers of the Hindustan Petroleum Corporation which included the present workman. The Metropolitan Magistrate discharged the workmen.

5. The workmen contended that the management started a domestic inquiry against them. The chargesheets were duly replied. It is averred that the conduct of the domestic inquiry was against the Principles of Natural Justice. It is pleaded that the inquiry officer recorded his findings which were perverse. It is submitted that a long time was taken for conducting the inquiry. It is submitted that without any basis the charges were levelled against the workman. It is asserted that there is no evidence or proof for framing the charge and conducting the domestic inquiry. It is averred that the disciplinary authority did not reply his mind before passing the dismissal order. It is asserted that the punishment awarded is shockingly disproportionate to the charges proved. It is, therefore, submitted that the dismissal order dated 9-3-93 be set aside and management be ordered to reinstate these workmen in service with continuity of service and all benefits.

6. The management filed a written statement resisting the claim of More, Nerurkar and Nemadik at Exhibit-7, 8 & 9 respectively. It is contended that the domestic inquiry which was conducted against, the workmen is as per the Principles of Natural Justice. The findings of the inquiry officer are on the basis of the evidence before him and they are not perverse. It is asserted that the punishment awarded in the workmen is just and proper. It is averred that the workmen are not entitled to any of the reliefs as claimed.

7. The workman filed rejoinders at Exhibit-10, 11 and 12. They reiterated their claim in the statement of claim.

I have framed issues at Exhibit-21. The issue Nos. 1 & 2 are treated as preliminary issues. The issues and my findings there on are as follows:—

Issues	Findings
1. Whether the domestic inquiry which was held against the workman was against the Principles of Natural Justice?	No.
2. Whether the findings of the Inquiry Officer are perverse?	Yes.

REASONS

9. At Exhibit-19 a purshis was filed on behalf of the workman contending that they do not wish to challenge the fairness, legality and validity of the inquiry conducted by the management. As this is so Issue No. 1 has to be answered in favour of the management.

10. The parties have filed purshis at Exhibit-22 contending that they do not want to lead any oral evidence for deciding issues Nos. 1 & 2.

11. Today Mr. Kantharia argued for Talsania, the Learned Advocate for the management and Mr. S. S. Pakale the Learned Advocate for the worker. They brought to my notice the documents on the record. The documents pertaining to More are alongwith Exhibit-17. The charge-sheet is at Exhibit-17/1 wherein it is contended that on February 4th, 1986 when he was working as weigh bridge operator he conspired with R. G. Bhoir to load excess C.B.F.S. in tanker truck No. MWN-52 to the extent of about 9-10 tonnes and received Rs. 2,000 as illegal monetary consideration. This conduct is a serious misconduct of the standing order 28(ix) and 28(xvii). It relates to fraud or dishonesty in connection with company's business and wilful falsification of the records of the company. After conducting the domestic inquiry the inquiry officer had given his findings which appears at Exhibit-17/9.

12. The Charge-sheet of Nerurkar is at Exhibit-16/1. He was charged for misconduct like that

of More. But so far as the charge-sheet is concerned there is no specific mention of the amount which he alleged to have received as illegal monetary consideration. The report of the inquiry officer in his case is at Exhibit-16/9.

13. Nemade's charge-sheet is dated 27-5-1989 (Exhibit-18/1). It is alleged that on 23-1-86 and on 5-2-86 when he was working as weigh bridge operator he conspired with other employees to load excess be C.B.E.S. in tanker truck No. MWU-4711, MCU-34 MWU-5297 and MCU 1380 (23-1-1986) and truck No. MWU 5297, MWU 4712 and MCU 34 (5/2/1986) and received Rs. 4,500 and Rs. 3,150 as illegal monetary consideration. Therefore he was charged for a framed or dishonesty in connection with the company's business and willfull falsification of records of the company. The report given by the inquiry officer is at Exhibit-18/9. It is not in dispute that the inquiry officer had not considered the judgment of the Metropolitan Magistrate by which he discharged these workmen. It can be seen that a Challan was filed on the basis of Crime No. 168/P of 1987 before the Metropolitan Magistrate 25th Court, Mazgaon, Bombay. There were in all 51 accused. The workmen were among them. That was a case under Section 379, 465, 461, 413, 414, 541, 201, 109 and 120(b) of the Indian Penal Code. On 6-7-89 the Metropolitan Magistrate decided the matter and discharged the workmen alongwith some others.

14. Now it has to be considered whether that findings of the Metropolitan Magistrate discharging the workmen is binding on the Inquiry Officer. In Jaywant Bhaskar Sawant V/s. Board of Trustees of the Port of Bombay and Ors. 1992 (II) CLR 733 wherinc his Lordships observed that when there is an acquittal of workmen in criminal case against whom there was a domestic inquiry in respect of the same charges then the weightage has to be given to the findings of the criminal courts decision. As the weightage was not given as His Lordships quashed and set aside the order of the disciplinary authority.

15. On behalf of the management the Learned Advocate placed reliance on J.D. Jain V/s. management of State Bank of India and Anr. 1982 Supreme Court 373 wherinc it is observed by their Lordships that the strict rules of evidence are not applicable in a domestic inquiry. The word 'here say' is used in various senses. Sometimes it means whether the person has heard to said. Some times it means whatever the person declares on information given by some one also for the purpose of departmental inquiry complaint certainly not frivolous but substantiated by substantial evidence is enough. In another case Raghunath Vishnu Patil V/s. R. L. Kanwande and Ors. 1993 (II) CLR

50, it is observed that acquittal in a criminal court cannot be binding on a disciplinary authority in as such as the standard of proof in a criminal court differ from the standard of proof in a disciplinary inquiry. The Learned Advocate for the Corporation also placed reliance in Nelson Motis V/s. Union of India & Ors. Y. D. 1995(V) SC-1111 wherein Their Lordships have observed that the scope of criminal case are different from departmental disciplinary proceedings. The order of acquittal cannot conclude departmental proceedings.

16. In Jaywant Bhaskar Sawant's case Their Lordships had also considered the Nelsons case. It is observed by His Lordships in Sawant's case that acquittal can be on different grounds namely lack of evidence or on technical grounds. But when there is a clean acquittal it has to be taken into consideration in a departmental inquiry. In this particularly case these workmen were discharged.

17. I have already observed above that there is no dispute that the inquiry officer had not considered the Metropolitan Magistrate's Judgment. No doubt from the decisions which I have referred to above it cannot be said that the inquiry officer should straight away accept the findings of acquittal but he has to give due weightage to that Judgment and consider it. He should discuss the same and then come to his conclusions. Here in this case he had not done so. This is illegality.

18. The Metropolitan Magistrate had considered the confessions of R.C. Bhoir Accused No. 14 and V. D. Mohite accused No. 13. The inquiry officer had relied upon these confessions which were produced before him. From these confessions the link of the workman cannot be established. The witnesses which were examined before the inquiry officer had not lead on evidence which can be said to be sufficient for coming to the conclusion that the charges which were levelled against the workmen are proved. No doubt there is much difference in respect of evidence required in a criminal case and in a domestic inquiry. Even then from the perusal of the evidence lead before the inquiry officer I am not inclined to hold that that is sufficient, for coming to the conclusion that the charges levelled against the workmen are proved. In other words the findings of the inquiry officer on its basis are patently perverse. In the result I record my findings on the issues accordingly and pass the following order :—

ORDER

The domestic inquiry which was held against the workmen was as per the Principles of Natural Justice.

The findings of the inquiry officer are perverse.

S. B. PANSE, Presiding Officer

नई दिल्ली, 20 जनवरी, 1997

का.आ. 453—आंदोलिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं इंडिया लिमिटेड के प्रबंधतत्व के संबद्ध नियोजकों और उनक कम्पकारों के बीच, अनुबंध में निर्दिष्ट आंदोलिक विवाद में, केन्द्रीय सरकार आंदोलिक अधिकरण, (सं. 2) मुख्य के पंचपट का प्रकाशित करती है, जो केन्द्रीय सरकार को 17-1-97 को प्राप्त हुआ था।

[संख्या एल-11024/2/96-प्राईसार (सी-1)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 20th January, 1997

S.O. 453.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Mumbai as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Air India Limited and their workmen, which was received by the Central Government on 17-1-97.

[No. L-11024/2/96-IR(C-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/34 of 1996

Employers in relation to the Management of Air India Limited.

AND

Their Workmen

APPEARANCE :

Kulkarni Advocate.

For the Management.—Mr. Abhay Kulkarni, Mrs. Pooja Kulkarni, Advocates.

For the Workmen.—Ms. Kunda N. Samant Advocate.
Mumbai, dated 8th January, 1997

AWARD

The Government of India, Ministry of Labour by its Order No. L-11024/2/96-IR(C-I) dated 1-7-96, had referred to the following Industrial Dispute for adjudication :

- (1) Whether Mr. S. N. Salgaonkar, Asst. Personnel officer, who worked under the management of M/s. Air India Ltd. is workman under the definition of Section 2(S) of the Industrial Disputes Act of 1947 ? and
- (2) Whether the action of the management of Air India Ltd. in superannuating his services w.e.f. 1-3-95 is justified ? If so, to what relief is Mr. S. N. Salgaonkar entitled to ?".

2. S. N. Salgaonkar, the workman contended that he was appointed as a typist cum clerk w.e.f. 15-5-69. He continued to work as a clerk and typist throughout his tenure in Air India Ltd. When he was appointed his basic salary was 150+D.A. of Rs. 75 and there were other allowance as admissible under conditions applicable to the establishment.

3. The workman pleaded that in his capacity as a typist cum clerk whatever work done by him was not of the nature of superintendent. Afterwards on the basis of seniority he was promoted as a senior typist clerk in 1983. He was given all benefits and that grade but his nature of work continued to be that of a clerk cum typist. There was no change of work. There were no junior clerks who were working under him. The promotions involved were just a procedural change.

4. In the year 1989 he was promoted to the grade of Office Assistant as a result of seniority in the company. He was granted benefit of one increment in the higher grade and there were some adjustment in the stages was made. But so far as the nature of work was concerned there was no change.

5. The worker pleaded that thereafter he was elevated to senior D.A. Due to the seniority in the company he was placed in the category and paid in the grade applicable. However, no staff either reported to him or was workman required to assess or fill in the appraisal of any staff. There also the workman was assigned the same clerical work in the Central despatch unit, handling material and despatching letters and doing classification work. It is asserted that all the above promotions were in fact upgradations. Despite being termed promoted employee has to perform all the duties which he performed in the earlier grade and also duties that may be assigned to him from time to time. It is submitted that the main objection what was called promotion was to remove the stagnations among employees who had put long years of service.

6. In the year 1994 the workman was given the designation of Asst. Personnel Officer. It was not an absolute promotion but was on probation up to January 1995 in terms of Air India employees service regulations. Here also he was not in supervising capacity. He continued to draw the same salary which he was drawing i.e. Rs. 2,705 per month in the scale applicable to him. The workman was kept on probation up to 31-1-95 and was removed from service of the company w.e.f. 31-1-94.

7. The workman pleaded that he was terminated on the ground that he reached the age of superannuation fixed at 58 years as per the date of birth recorded by the Administration of the employer in their record which was 3-1-37. It is averred that his date of birth as per the Municipal record is 18-7-37. This certificate was given by the workman to the administration and requested them to make the necessary corrections. It is submitted that the workman and his sister who is elder than him has record of the same birth date i.e. 3-1-37 in school. This is obviously a mistake. It is contended that he realised the mistake in 1970 when he obtained Domicile certificate. Then he wrote down to the management to change his recorded date of birth from 3-1-37 to 18-7-38 in the year 1970. However, no cognisance was taken by the management. It is asserted that under such circumstances the termination of his employment by the management treating him to be 58 years in January 1995 is incorrect.

8. For all these reasons the workman prayed that he should be reinstated with continuity of employment with full wages with other reliefs.

9. The management resisted the claim by the Written Statement Exhibit-5. It is pleaded that Salgaonkar is not a workman as contended by him. His wages clearly exceeds Rs. 1,600 per month and the nature of duties assigned to him and also by the powers vested in him, his functions were mainly of Managerial nature. The management also taken several contentions showing that Salgaonkar was not a workman at a relevant time as he was working as Asst. Personnel Officer which is a post of managerial cadre.

10. The management pleaded that the workman, Salgaonkar never moved the application for change of date of birth in the year 1970. It is averred that the management issued a circular to all employees of Air India directing them to apply for change in the date of birth after submitting the necessary proof in respect thereof in the year 1985. But the worker never made an application as per the circular. It is averred that it is well settled Principle of Law that the

employees is required to make the attempts to get the date of birth corrected in the records of the management at the earliest. Salgaonkar on his own admission was aware of the mistake in the date of birth before he joined Air India. It is pleaded that the claim which is made by Salgaonkar is frivolous, mischievous and liable to be rejected.

11. The workman filed a rejoinder at Exhibit-6. He pleaded that it is well settled law that the management has to prove that the second party is not a workman as contemplated under the Industrial Disputes Act of 1947. The worker denied the contentions taken in the written statement by the management and asserted the claim which he made in the statement of claim.

12. I have framed issues at Exhibit-29. The issues and my findings there on are as follows :—

Issues	Findings.
1. Whether S. N. Salgaonkar who worked as Asstt. Personnel Officer is a workman under the Industrial Disputes Act of 1947 ?	No.
2. Whether the action of the management Does not of Air-India in superannuating his service survive, If w.e.f. 1-3-95 is justified ?	survives, yes.
3. If not to what relief the workman is Does not entitled to ?	survive.

REASONS

13. Salgaonkar (Exhibit-11) claims to be a worker under the Industrial Disputes Act of 1947. He affirmed that he was appointed as typist cum clerk on 15-5-69 by the management. He was given typing and clerical work which he continued to do throughout his tenure in Air India Limited. He affirmed that even though he was given periodical promotions and the salary of promoted posts he continued to work as the typist cum clerk. He affirmed that his work was not of a supervisory nature. In other words from the testimony he tried to bring on the record that he is a workman as contemplated under the Industrial Disputes Act of 1947.

14. Salgaonkar in his cross-examination admits that he was Assist. Personnel Officer at the time of retirement and he was using seal of that post. According to him he had granted casual leave to Ms. J. S. Rodrigues as he was the senior most on that day and the administrative officer Kutty was on leave. He denied the suggestion that he was looking after the sanction of the leaves.

15. Salgaonkar accepts that if an action is to be taken against a person who is holding the post of Asstt. Personnel Officer then it has to be taken under Air India employees service regulations and not under the Model Standing orders. From the appointment letter of Salgaonkar it is admitted position that he was informed that now Air India employees service regulations will be made applicable to him as he is Asstt. Personnel Officer. That supports the case of the management that he is not a workman.

16. Salgaonkar accepts that the wage revision of his post is carried out with the consultation of the Air India officers Association which does not represent the category of workmen. This is another thing to support the case of the management. Salgaonkar accepts the position that for workman category time card has to be punched while entering into the premises of the company and leaving the same. So far as the Asstt. Personnel Officer is concerned there is no such punching of the card. Further more there is a difference of forms for appraisal for worker and for the officers. Form 'A' is used for Asstt. Personnel Officers and Form 'B' to the worker. These grounds also suggests that Salgaonkar is not in the category of workman.

17. Mr. Kulkarni the Learned Advocate for the management argued that in Khosla award which is still in operation, categories of the workmen and their pay scales are laid down. The award does not cover the category of Asstt. Personnel Officer. This position is not disputed.

18. Mr. Sawant, the Learned Advocate for Salgaonkar placed reliance on All India Reserve Bank Employees Association and Reserve Bank of India and Anr. 1965 (II) I LJ 175 Ved Prakash Gupta Vs. M/s. Delton Cable India (P) Ltd. 1984 Supreme Court cases 281 and Andhra Bazar Patrika (P) Ltd. and its workman 1969 (II) LLJ 670. On the basis of the ratio given in these authorities she wanted to establish that what is to be seen is what work the concerned person is doing and not his designation, for arriving at a conclusion whether he is a workman or not. It is not in dispute that Salgaonkar, before the Assistant Labour Commissioner had admitted that he is not made to work as a clerk cum typist but on occasions he does that work. It can be further seen that for the grounds which I have already given above the ratio given in these authorities have no application to the present set of facts. It is therefore I come to the conclusion that Salgaonkar is not workman contemplated under the Industrial Disputes Act of 1947.

19. After coming to the conclusion that Salgaonkar is not a workman the other issue does not survive. Infact the Tribunal loses its jurisdiction to decide the matter. But for the sake of argument if it is said that my above stated finding is incorrect I intend to decide the remaining issues also.

20. Salgaonkar affirmed that his date of birth is 18-7-38. But in the record of the company it is 3-1-37. He therefore gave an application to change the same in the year 1970. He had not produced any office copy of the representation which he made for changing the date of birth in 1970.

21. Salgaonkar affirmed that his elder sister was born on 3-1-37 and he was born on 18-7-38. There was no clerical mistake in the official record. But he wanted to get the change of date of birth on the basis of the information he received later on. He affirmed that he obtained the certificate of birth in and the domicile certificate in 1970. Then got himself insured on 29-3-73. In the policy his date of birth is shown as 18-7-38. According to him he did not declare his date of birth as 3-1-37 but had produced the S.S.C. certificate wherein that date of birth is shown. According to him when he and his sister were enrolled in the school the date of birth was shown as 3-1-37 for both of them. That mistake continued with his previous employer also.

22. It is pertinent to note that the management issued a circular dated 3-12-85 (Ex-55) wherein they asked the employees of the Corporation to make the application for correcting the date of birth if there is any incorrectness of the same, on the production of necessary documents. Admittedly Salgaonkar had not given application on its basis. The letter which he send to the company for change of date of birth appears to be in the year 1994. They are at Exhibit-16 to 19. In other words he kept mum for about 25 years. He tried to get the date of birth changed when he was about to retire. It is well settled law that when such an attempt is made it should not be allowed.

23. In Jaydev R. Brahmabhatti V/s. Ahmedabad Municipal Corporation 1996 II CLR 155 His Lordship observed that after more than 26 years of the appointment the attempt was made for correction of the date of birth in the service record which was made on the basis of S.S.C. examination cannot be allowed. Here in this case also I do not find any illegality committed by the management for rejecting the application.

24. Salgaonkar tried to bring on the record that there is a discrimination between two employees. According to him there was a change of date of birth with regard to one Gharse. Abahat Hulyalkar (Exhibit-28) affirmed that the facts of Gharse's case and that of Salgaonkar are different. It appears that there was a clerical mistake while recording the date of birth so far as Gharse is concerned. They accordingly corrected the mistake and called back Gharse on service. He was made to retire on the basis of the incorrect date of birth. I do not find any similarity between case of Gharse and that of Salgaonkar.

25. For the above stated reasons I find that the company had rightly superannuated the services of Salgaonkar w.e.f. 1-3-95. Its action is justified. In the result I make the following order :

ORDER

Mr. S. N. Salgaonkar, Asst. Personnel Officer who worked under the management of M/s. Air India Ltd. is not workman under the definition of section 2(5) of the Industrial Disputes Act of 1947.

The action of the management of Air India Limited in superannuating his services w.e.f. 1-3-95 is justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 20 जनवरी, 1997

का.आ.-454-ओटोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, देना बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निर्दिष्ट ओटोगिक विवाद में, केन्द्रीय सरकार ओटोगिक अधिकारण, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-01-97 को प्राप्त हुआ था।

[संख्या एन-12012/69/85-दीआईआई(ए)]

द्रविंद्र, ईम्पक अधिकारी

New Delhi, the 20th Jan. 1997

S.O. 451 In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Mumbai as shown in the Annexure to the Industrial Dispute between the employers, in relation to the management of Dena Bank and their workmen, which was received by the Central Government on 17-1-97.

[No.L-12012/69/85-D-II(A)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2.

MUMBAI

PRESENT

SHRI S. B. PANSE

PRESIDING OFFICER

REFERENCE NO. CGIT-2/6 OF 1986.

EMPLOYERS IN RELATION TO THE MANAGEMENT OF DENA BANK

AND

THEIR WORKMEN

APPEARANCES :

FOR THE EMPLOYER Mr. S. K. Talsania & Mr. V. H. Kaitharia Advocates.

FOR THE WORKMEN No Appearance.

MUMBAI, 23rd December, 1996.

AWARD

The Government of India, Ministry of Labour by its order No.L-12012/69/85-D.II(A) dated 12/2/1986, had referred to the following Industrial Dispute for adjudication.

"Whether the action of the Dena Bank, Baroda in

dismissing Shri D.D. Parmar from service vide its order dated 5.4.82 is justified? If not, to what relief the concerned workman is entitled?"

2. The workman D.D. Parmar filed his statement of claim at Exhibit-4. It is contended that he was appointed as a subordinate staff on 5/7/74. On 16/12/81 he was served with a suspension order which was in English. The worker does not know English. He approached the union leader to explain him what is the content of it. He was informed by the union that he should approach the union after receiving another letter from the bank.

3. The workman pleaded that thereafter on 29/12/81 he was served with a charge-sheet which was in English. He could not understand the same. He therefore approached the union. He was told by the union that he was not to worry at all. Thereafter the inquiry officer served him a notice of remaining present before the inquiry officer on 11/3/82. Thereafter he was served with another notice by Regional Manager on 31/3/82 to appear before him personally. He approached the union but again he was informed that he should not worry. It is pleaded that the leader of the union asked him to sign the papers written in English. When he inquired about the contents of the letter he was asked to sign the papers written in English. When he inquired about the contents of the letter he was asked to sign as the leader of the union told him that he should not worry for its outcome. The contents of the papers were not explained to him in Gujarati. It is averred that he was not served with the show cause notice nor was he served with the inquiry papers with the findings of the inquiry officer. No opportunity was given to him to represent his case in writing as a second show cause notice was not served. It is submitted that the letter which was signed by him was dictated by the manager and he was threatened to sign the same. It is averred that he relied upon the recognised union who assured him that nothing will happen to his service. But the union leader refused to fight his case and handed over the file to him. He approached the advocate who kept the file with him but later on returned after some days without defending his case. It is submitted that he had never withdrawn any amount as alleged in the charge-sheet. It is pleaded that his deposition was recorded by the inquiry officer even though he was not present before the inquiry officer on 11/3/82. It is contended that the letter of acceptance of the charges taken from him on 14/12/81 is under duress, threat and dictation given by the bank manager. It is averred that the inquiry which was held against the workman in his absence is against the Principles of Natural Justice. It is pleaded that the inquiry which was held against the workman was in the language which was unknown to him. For all these reasons it is submitted that the dismissal order may be set aside and he may be reinstated in service with full back wages, continuity in service with other reliefs.

4. The bank filed its written statement at Exhibit-2. That is before the statement of claim was filed by the workman. By his additional Written Statement (Ex-11) resisted the claim of the workman. It is averred that the workman has stolen away the loose cheque leaves and withdrew the amount of Rs. 2,000 and Rs. 5000/- from the accounts of M/s S.M. Panchal and D.R. Parekh. When the account holder complained to the bank the worker Parmar by his letter dated 14/12/81 accepted his guilt which was recorded in the presence of witnesses. Thereafter he was placed on suspension from 16/12/81 and a charge-sheet was issued to him on 29/12/81. In the departmental proceeding the worker accepted his guilt and confessed the charges on 11/3/82. It is averred that the worker was represented by his defence rep-

representative in a departmental inquiry. The inquiry officer thereafter submitted his report finding the worker guilty of the charges. Thereafter the Regional Manager proposed the punishment of dismissal without notice by his order dated 23-3-82 and fixed the date of personal hearing on 31-3-82. On that date the worker submitted his representation dated 31-3-82. He represented that the punishment proposed is shockingly disproportionate to the misconduct committed and proved against him. The punishment proposed was confirmed by the disciplinary authority by its order dated 5-4-84. It is pleaded that the workman accepted the guilt voluntarily without undue influence. Under such circumstances there is no substance in the contention taken by him. It is averred that the Industrial Tribunal has no jurisdiction to entertain such type of reference. It is pleaded that the reference is tenable under the law. It is averred that the inquiry which was held against the workman was as per the Principles of Natural Justice. It is denied that the worker was compelled to confess the guilt. It is averred that the punishment awarded to the workman is perfectly legal and proper and it cannot be said to be disproportionate. It is averred that if the Tribunal comes to the conclusion that no proper opportunity was given to the workman the management may be allowed to lead further evidence in the matter to substantiate its action. For all these reasons it is submitted that the workman is not entitled to any of the reliefs as claimed.

5. My Learned Predecessor framed issues at Exhibit-5. The issues and my findings thereon are as follows:

ISSUES	FINDINGS
1. Whether the workman proves that the inquiry held against him was not held properly, that the rules of natural justice were not followed, and that he was not given proper opportunity to defend himself?	The inquiry was proper and opportunity was given to the worker
1A. Whether this Industrial Tribunal has jurisdiction to entertain and decide the present reference?	Yes
1B. Whether the present reference is tenable in law?	Yes
2. Whether the workman proves that the letter dated 14-12-81 pleading guilty to the charges, was obtained from him by the bank manager under duress, threat and dictation?	No
3. Whether the action of Dena Bank, Baroda in dismissing Shri D.D. Parmar from service vide its order dated 5-4-82 is justified?	Yes
4. If not, to what relief the concerned workman is entitled?	Does not survive.
5. What Award?	As per Award.

REASONS

6. This matter was kept for hearing at Ahmedabad on 16-2-89. Therein application (Exhibit-8) was moved on behalf of the worker for getting the adjournment for filing an affidavit. The adjournment was granted and the worker was directed to file the affidavit at Bombay. On 19-12-89 the worker filed his affidavit at Ahmedabad again when the Tribunal

was holding its camp. Thereafter the matter was fixed at Ahmedabad for hearing on 18-9-90, 19-9-90 and 21-9-90. On all these three days the parties were absent and the matter could not be proceeded with.

7. Then again the matter was fixed at Ahmedabad on 19-2-91 on which date the additional written statement was recorded and the matter was adjourned for cross-examination on the next sitting at Ahmedabad. On 25-7-91 when the sitting was at Ahmedabad again the matter was adjourned. Thereafter the parties were served with notice on hearing at Bombay and the matter was fixed for hearing on 12-1-96 on which date the advocate for the management was present and advocate for workman was absent. This position continued on several occasions later on. The worker was intimated regarding the bearing dates, but he never turned up. Mr. Kantharia on behalf of Mr. Talsania, Advocate appeared for the management, remained present. It can be seen from the record that even though the workman was intimated regarding the hearing of the date, did not remain present for cross-examination. Under such circumstances it is to be said that there is no evidence on behalf of the worker to justify his statement of claim.

8. I may mention it here that when order of reference was sent to this Tribunal it is mentioned that the case may be heard at Ahmedabad. It does not mean that the case has to be heard at Ahmedabad. It appears that my Predecessor tried to disposed of the case by taking hearing at Ahmedabad. But it appears that the parties did not cooperate to get the matter disposed of. Under such circumstances I do not find any reasons for fixing the matter at Ahmedabad. It is therefore I fixed it at Bombay for hearing but the worker remained absent. In other words there is no evidence on behalf of the worker. I do not find any reasons to hold that the domestic inquiry which was held against the worker was against the Principles of Natural Justice, that he was compelled to accept the charges by the letter dated 14-12-81 that the bank Manager used duress, threat and dictated the letter to the worker.

9. In view of section 2A of the Industrial Disputes Act of 1947 the dispute raised is an Industrial dispute and the Tribunal has jurisdiction to decide the reference. For all these reasons I record my findings on the issues accordingly and pass the following order:

ORDER

The action of the Dena Bank, Baroda in dismissing Shri D.D. Parmar from service vide its order dated 5-4-82 is justified.

S.B. Panse, Presiding Officer

नई दिल्ली, 20 जनवरी, 1997

का.आ. 455—श्रीधरिंग विवाद अधिनियम, 1947 (1947 का 14) की वारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स डिस्को का दमादोपा केन्द्रीय गैरेज के प्रबंधतात्रे के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधरिंग विवाद में, केन्द्रीय सरकार श्रीधरिंग अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-1-97 को प्राप्त हुआ था।

[संख्या पल-20012/412/82-डी-3(ए)/डी-40]
ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 20th January, 1997

S.O. 455.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. I), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Jamadoba Central Garage of M/s. TISCO and their workmen, which was received by the Central Government on 17-1-1997.

[No. L-20012/412/82-D.III (A)/D.IV (A)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DITANBAD

In the matter of a reference under Section 10(1)(d) (2-A) of the Industrial Disputes Act, 1947

Reference No. 125 of 1988

PARTIES :

Employers in relation to the management of Jamadoba Central Garage of M/s. TISCO

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. Paul, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 10th January, 1997

AWARD

By Order No. L-20012/412/82-D III (A)/D.IV (A) dated the 13th September, 1988 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. Tata Iron and Steel Co. Ltd. in relation to the Jamadoba Central Garage in dismissing from service Shri Pritam Singh, Truck Driver, w.e.f. 20-10-79 is justified? If not, to what relief the workman is entitled?”

2. The workman and the union appeared and filed written statement stating that the workman was permanent Driver of M/s. TISCO management having Ticket No. 2253 at Jamadoba. A chargesheet was issued to the concerned workman dated 16-1-79 on the false and baseless allegation that he was removing diesel from the Dumper on 20-12-78 in connivance with other workman Laxman Turi, Driver of B shift which was served on 23-1-79. He submitted his explanation denying the charges but that was considered unsatisfactory and domestic enquiry was ordered to be held and notice was issued on 15-5-79 and he was told that the enquiry would be filed but he was dismissed from service. His further plea is that on the alleged date of occurrence he was present in the chamber of Dr. P. Prasad from 5.30 P.M. to 7 P.M. at Phusbunglow, Bhaga for diagnosis and treatment of colic pain. The dumper No. 7195 was being operated by some other Driver in the Washery and was loading coal rejection as per evidence of Asstt. Engineer, Mr. Mandak. In the said allegation of occurrence in connivance with Laxman Turi the latter was not found involved. It is said that the chargesheet was based on the report of a Watchman, Janak Pd. Pandev, but copy of that report was never supplied and he was held guilty only on solitary evidence of Sri Pandev. Watchman and no proper opportunity was given to the workman to defend himself. It is said that the workman was quite innocent and he has been

illegally dismissed and he is entitled for reinstatement in service from 20-10-79 the date of dismissal with full back wages.

3. I find that the management appeared and filed written statement stating, inter-alia that the reference was not maintainable and that the workman was appointed on 7-8-61 and he was in 'A' shift duty from 9.00 A.M. to 3.00 P.M. on 20-12-78 in a Dumper No. BRM-7195 and at about 6 P.M. Sri Iwala Prasad Pandey, Watchman found the workman taking out diesel from the said dumper with the help of a pipe into a jerrycan in connivance with another driver, Lakshman Turi, of the same dumper in 'B' shift near Fire area Road by the side of the dispensary and on making 'Halla' by Sri Pandey the workman fled towards Washery leaving the pipe and jerrycan. It was reported by Sri Pandey and thereafter chargesheet was issued to the concerned workman on 16, 17, 21st January, 1979 and reply to the chargesheet was submitted by him enclosing a medical certificate granted by Dr. P. Prasad that the workman was under the treatment of Dr. Prasad at the relevant time. But it is said that here is well equipped hospital of the colliery management where the workmen get free treatment, then why he got treatment from private doctor is not clear. It is said the workman appeared in the departmental enquiry and the enquiry was held in his presence and opportunity was given to him to cross-examine the management's witnesses and to give his own statement and defence witness, but no defence witness was examined by the workman, of course he gave his own statement. The enquiry report was submitted by the Enquiry Officer and considering the report the management dismissed him from service w.e.f. 20-10-79.

4. Thereafter the dispute was raised by the sponsoring union before the A.L.C. (C) which failed and thereafter it was moved to the Ministry for marking a reference which was refused and thereafter a writ petition was filed before the Hon'ble High Court, Patna, Ranchi Bench in CWIC No. 7192/83 (R) and on direction given by the Hon'ble Court present reference was made. It is also said that it is well principle that if any act committed against the management which is against the principal discharge of duties it is a misconduct justifying dismissal. It is also said that offence of theft and stealing is grossly immoral and the workman deserves the dismissal which is quite justified.

5. A rejoinder has also been given to the written statement of the workman and the contention of the written statement filed by the workman has been denied specifically and parawise and the same is said to be incorrect and baseless. It is finally said that the action of the management in dismissing the concerned workman with effect from 20-10-79 was fully justified.

6. On the basis of the above pleading of the parties the points for consideration in this reference are—

(a) As to whether the action of the management in dismissing the workman with effect from 20-10-79 is justified?

(b) If not, to what relief or reliefs the workman is entitled?

7. Both the points being inter-linked are taken together for their consideration.

8. I further find that only one witness, MW-1 J. P. Singh, the Enquiry Officer, was examined by the management who has supported the management's case and proved the documents (Ext. M-1 chargesheet, Ext. M-2 reply of the workman, Ext. M-3 letter of appointment for Enquiry Officer, Ext. M-4 notice for appearing in domestic enquiry, Ext. M-5 ordersheet of the enquiry proceeding, Ext. M-6 enquiry report and Ext. M-7 dismissal letter issued by the Acting General Manager of the colliery. He has been cross-examined at length where he has stated that Ext. M-3 was not directly addressed to him for appointment as Enquiry Officer but the copy of the same was given to him. However, there was no name of the Enquiry Officer mentioned in Ext. M-3. He has denied the suggestion that he has no authority to hold the enquiry. He has also denied that the enquiry proceeding and enquiry report was prepared in only one sitting and the workman was forced to sign on the dotted line by him. He has also admitted that the

General Manager was competent authority to dismiss the workman and he could not say that at the time Sri B. S. Rao was on leave and he delegated his authority to the Acting General Manager. He also denied that he was making statement under pressure from the management.

9. I further find from the order sheet of this reference dated 24-3-94 that the learned lawyer for the workman and the sponsoring union conceded fairness of the domestic enquiry and specifically stated that he did not challenge now fairness of the same and it was held accordingly. Thereafter some documents were called for by the workman from the management which were not adduced documentary evidence in this case viz. copy of F.I.R. of alleged theft on 20-12-78, Log Book of Dumper No. BMR-7195 of the relevant period and records of proceeding against Laxman Turi and it was held by the then Presiding Officer that these were not relevant and required for decision of this reference and these might have been called for during the domestic enquiry and copy of F.I.R. might have been filed by the union and the workman during the enquiry and the reference was to be heard only on merit of the .

10. While arguing the case it has been submitted by the learned lawyer appearing on behalf of the sponsoring union and the workman that double stand was adopted by the management in dismissing the workman illegally on the allegation of alleged theft of some diesel only about 24 litre taking from the dumper in question with the help of pipe and in connived with another driver, Laxman Turi. It is also submitted that the concerned workman was outside the dumper and Laxman Turi was inside taking out the diesel but as the latter was not seen by the Watchman, Jwala Prasad Pandey he was given a clean chit and no action was taken against him whereas on doubtful evidence of Sri Pandey solitary witness it was held by the Enquiry Officer that the allegation was proved and accordingly he was dismissed by the Acting General Manager who too was not competent to pass the order of dismissal. There was also nothing to show that actually any delegation of power to the Acting General Manager by the General Manager who was the competent authority to pass order of dismissal. It is further submitted that as per evidence given before the Enquiry Officer it was in the month of December and cloudy weather and there was no light and about 6.30 P.M. it would be dark and it appears quite impossible that Sri Pandey could have identified the workman in absence of light and on his asking the workman fled towards the Washery. It has also come in the evidence that no special mark was put on the so-called seized jerrycan and pipe and the said dumper was running by another driver during alleged period of time as per evidence of Asst. Engineer, Sri Mandal, so no question arose of taking diesel out from the said dumper at the relevant point of time. It is further submitted that the workman had taken plea earlier in his so-called reply that during the relevant point of time he was in the clinic of Dr. Prasad for colic pain at Bhaga. On this plea of the management that as there is well equipped hospital having in the colliery itself what was the occasion for the workman to go to private doctor when he could get free treatment in the colliery hospital. But it is submitted on behalf of the workman that there was no bar for having colliery hospital cannot get treatment by private doctor if he chooses so. In this respect it is submitted that the alleged occurrence relates to theft of diesel and it appears that F.I.R. was lodged by the Security Personnel of the colliery but no copy of F.I.R. was brought on record nor the log book of the said dumper was brought for verification. It is also submitted that only on the solitary evidence of Sri J. P. Pandey, Watchman it was held that the allegation of theft was established against the workman when there was no any corroborating evidence.

So far identification by the Watchman in absence of light at the relevant time cannot be unmistakable. It is submitted that as per evidence only 24 litre of diesel was found in the said jerrycan seized by the P.O. nor from the possession of the workman rather he fled away and thereafter the said jerrycan and pipe were seized that too in absence of any witness. Such jerrycan and pipe are available in the market and it cannot be said that alleged seizure was from the possession of the workman. It is also pointed out that as per chargesheet there was allegation of conspiracy being hatched by the workman and one Laxman Turi, another Driver of the said Dumper for committing alleged theft of diesel, but on the same offence Sri Turi was scot-free and the workman was held guilty and dismissed from service which cannot be justified and proper. There was no proper illusion of evidence of the Enquiry Officer nor it was considered by the management properly as submitted on behalf of the workmen. In this view of the matter it was submitted that alleged occurrence was not proved at all and wrong conclusion was arrived at by the Enquiry Officer without considering the plea taken by the workman and paucity of cogent and credible evidence on record. As such it was pointed out that dismissal of the workman was illegal and unjustified and he is entitled for reinstatement from the date of dismissal i.e. 20-10-79 with full back wages.

11. On the other hand, it has been submitted on behalf of the management that domestic enquiry being held fair and proper there was no scope of adducing further evidence oral or documentary in this reference and the quantum of punishment given to the workman can be challenged and looked into. It is further submitted that there was sufficient evidence on record to prove the alleged occurrence of theft of diesel committed by the workman from Dumper No. BMR-7195 on the alleged date of occurrence. It is also said that domestic enquiry was held fairly and properly and as per principle of natural justice in presence of the workman and he was given full opportunity to cross-examine the witnesses of the management and to give his own statement and to examine defence witness but no defence witness was examined by him and he simply gave his own statement and fully cross-examined the witness of the management. No complaint was made regarding procedure of holding departmental enquiry or against the Enquiry Officer which is clear from the enquiry proceeding filed where signature of the workman has been put on each and every page. It is further submitted that as the act of commission of theft of diesel was not with due discharge of duty and against the interest of the property of the management, hence the action of the management was fully justified in dismissing the workman from service with effect from 20-10-79. It is also submitted that dismissal letter Ext. M-7 was duly issued by the Acting General Manager as there was no any discrepancy in holding the departmental enquiry or taking action thereafter by the management against the workman.

12. However, after going through the case record and considering points of arguments advanced by the parties, I find much force in the plea taken on behalf of the workman that the conclusion arrived at by the Enquiry Officer that allegation was proved against the workman was not proper for the reasons noted above that there was only solitary evidence of Janak Prasad Pandey, Watchman who have been claimed to be eye witness of the alleged occurrence and there was also allegation of committing conspiracy by the workman with another Driver Laxman Turi for commission of said occurrence but said Laxman Turi was left scot-free and only the workman was held guilty for the same when jerrycan and pipe was not seized from his possession nor there was any corroborating evidence of any other person than Sri Pandey. Watchman to prove the alleged occurrence and no any special mark was put or was available on the said jerrycan and pipe seized at the spot. There was

also no light and identification of the workman by the said Watchman, Sri Pandey cannot be said to be definite and proper. There also may be some substance in the plea of the workman of his being present in the chamber of Dr. Prasad at the relevant point of time for which medical certificate was produced and that ought to have been considered. Moreover, only 2-1/2 litre diesel is said to have been in the said jerrycan which was seized at the spot and in absence of the workman or any other witness. This much amount of so called stolen diesel when the said dumper was in operation at different work site loading coal rejects as per evidence of Mr. Mandal, Asstt. Engineer, and this meagre amount of recovered diesel did not present the sufficient cause for dismissal of the workman from the service. Any punishment given to the delinquent must be disproportionate with the offence so alleged committed by him, but in the instance case the alleged offence was relating to theft of only 2-1/2 litre of diesel which too becomes doubtful in the above circumstances for which the workman was dismissed from service with effect from 20-10-79 and this action of the management cannot be said to be justified. Accordingly the workman is entitled for his reinstatement in service with effect from 20-10-79 but so far back wages is concerned, since he has not worked for the period after dismissal and only 50% of the full back wages is allowed to the concerned workman.

Both the points are decided accordingly.

13. Hence, following is the award—

that the action of the management of M/s. Tata Iron and Steel Co. Ltd. in relation to the Jamadoba Central Garage in dismissing from service Shri Pritam Singh, Truck Driver with effect from 20-10-79 is not justified. The management is directed to reinstate the concerned workman with effect from 20-10-79 with 50% of full back wages for the entire period within two months from the date of publication of the award.

However, there will be no order as to the cost.

TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 21 जनवरी, 1997

का.आ. 456.—श्रोतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय श्रोतोगिक विकास बैंक के प्रबंधसंघ के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निविष्ट श्रोतोगिक विवाद में केन्द्रीय सरकार श्रोतोगिक अधिकरण, नई दिल्ली के पंचम को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-01-97 को प्राप्त हुआ था।

[संख्या एन-12012/155/93-आई-आर-वी.-2]

ब्रज मोहन, ईस्ट अधिकारी।

New Delhi, the 21st January, 1997

S.O. 456.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Industrial Development Bank of India

and their workmen, which was received by the Central Government on 20-01-1997.

[No. L-12012/155/93-IR-B-II]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA: PRESIDING OFFICER: CENTRAL GOVT. INDUSTRIAL TRIBUNAL: NEW DELHI

I.D. NO. 87/93

In the matter of dispute between:

Shri Murari Lal Baluni through
The Joint Secretary

Industrial Development Bank of India Staff
Association, Red Cross Road,
New Delhi.

Versus

General Manager,
Industrial Development Bank of India,
Red Cross-Road, New Delhi.

APPEARANCES: None for the workman.
Shri J. Butcher for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/155/I.R. (B-2) Dated 24-11-93 has referred the following Industrial dispute to this Tribunal for adjudication:

“Whether the management of I.D.B.I. was justified in not giving promotion to Shri Morari Lal Baluni w.e.f. 4-2-91 as Gestetner operator-cum-peon and also seniority and other monetary benefits. If not what relief the workman is entitled to?”

2. The workman in his statement of claim alleged that all promotions in class III and IV cadre of the management are guided by Bipartite Settlement between All India Industrial Development Bank Employees Association Industrial Development Bank of India Workers' Union, Bombay and Industrial Development Bank of India. The latest bipartite settlement was signed on 27.12.89 (Annexure-I). As per the above settlement, three posts [1 each for Inward-outward (sorting) clerk, Gestetner operator and Subedar Gr. II] were created at Bank's Northern Regional office at New Delhi (Annexure-I-page-52 para 3(i), page 53 para 4 (i) and page 51 para 2(i)). The post of Inward-Outward (Shorting) Clerk was to be filled up as per the criteria at Annexure-I page 52 para 3(i)) and that of Gestetner Operator and Subedar Gr. II on the basis of seniority amongst Class- IV employees. Accordingly, Shri Dharam Pal, Subedar Gr.I was promoted as Inward-Outward

(sorting) Clerk on 4-2-91

Consequent upon Shri Dharam Pal's promotion, the succeeding posts which fell vacant were filled up as below:—

Sl. No.	Name of Employee	Date of Temporary Appointment	Date of Confirmation	Date of Pro- motion along with Designa- tion	Designation as on 1-1-90	Remarks
1	2	3	4	5	6	7
S/Shri						
1.	Dharam Pal	23-8-79 (Peon)	1-1-80	Subedar Gr. I 27-8-85	Subedar Gr. I	Promoted as Inward- Outward sorting Clerk w.e.f. 1-2-91.
2.	Sahib Singh	23-8-78 (Peon)	1-1-80	Duftry 1-9-87	Duftry	Promoted as Subedar Gr. I w.e.f. 4-2-1991 (On Shri Dharam Pal's Promotion as I/O Clerk).
3.	Khyali Ram Sati	13-11-78 (Peon)	1-1-80	Duftry-cum- Gest. Operator 22-8-88	Duftry-cum- Gest. Operator	Promoted as Duftry w.e.f. 18-2-91 (on Shri Sahib Singh's pro- motion as Subedar Gr.I)
4.	Ram Singh	21-11-78 Khitmatgar	1-1-80	Switch over as Peon on 1-1-88	Gest. Optr- cum-Peon	Promoted as Gest. Operator cum-Peon on 16-7-90 against additional vacancy created at NRO (as per para 2 above).
5.	Tejinderjit Singh	2-1-79 (Durwan)	1-7-80	Switch over as Peon on 28-3-89	Peon (Offi- ciating)	Confirmed as Peon w.e.f. 1-7-91 (was promoted as Gest. Optr-cum-Peon only on 24-1-92) Re- designated as Duftry- cum-Gest. Optr. on 1-9-92
6.	Partap Singh	5-2-79 (Peon)	1-7-80	Gest. Optr- cum Peon 22-8-88	Gest. Optr- cum-Peon	Promoted as Duftry-cum- Gest. Operator w.e.f. 18-2-91 (on Sh. K.R. Sati promoted as Duftry).
7.	Murari Lal Baluni	17-7-79 (Durwan)	1-1-81	Switch over as Peon on 28-3-89	Peon (Offi- ciating)	Should have been promo- ted as Gestetner Operator- cum-Peon against the post vacated on Shri Partap Singh's prom- otion as Duftry-cum-Gest. Operator.
8.	Jagdish Kumar	4-1-77 (Part time Sweeper) 4-3-80 (Full time Sweeper- cum-Farash)	1-7-81	—do—	Peon Offig.	Since Opted for SIDBI.
9.	Babu Ram Kharwar	21-4-80	1-7-81	Peon	Peon	Promoted as Typist.
10.	Satya Pal	4-8-77 (Part-time) 22-9-80	1-1-82	Switch over as Peon on 28-3-79	Peon (Offi- ciating)	Wrongly promoted as Gest. Optr-cum-Peon on 18-2-91, Reverted as Peon on 24-1-92.
		Full-Time (Sweeper-cum- Farash)				
11.	Sukhbir Singh	18-2-78 Peon-cum-Farash in Bombay	1-7-79	Peon June, 84	Peon	Joined NRO on 19-2-81 on transfer from Head Office.

2. It was alleged that from the above that promotions at Serial 1 to 6 were in order but against the post of Gest. Operator-cum-Peon vacated on Shri Pratap Singh's promotion as Duftry-cum-Gest. Operator on 18-2-91 the bank wrongly promoted Shri Satya Pal Singh of Sr. No. 10, who was junior to Murari Lal. The Management prepared a correct seniority list and reverted Satya Pal Singh on 24-1-92 and promoted Shri Tejinder Singh and Murari Lal Baluni as Gestetner Operator-cum-Peon on 24-1-92. Senior most Person to whom this post should have been offered was Murari Lal Baluni in whose place Satya Pal Singh who was junior was promoted. Hence this claim that the bank be permitted to grant promotion to Shri Murari Lal Baluni with retrospective effect as per correct seniority list as per January 1990.

3. The Management in its written statement denied the allegations made in the statement of claim and alleged that the promotion to these posts are made not merely on the basis of seniority but on the basis of seniority-cum-suitability. The promotion of one Partap Singh on 18-2-91 in the post of Gestetner Operator fell vacant and Satya Pal Singh was appointed who was shown as senior most in accordance with the seniority list prepared on January 1, 1990. Later on it came to notice that the seniority of said Satya Pal Singh was calculated by mistake and the same was rectified. Tejinderjit Singh and Murari Lal Baluni became senior to Satya Pal Singh and Tejinderjit Singh was, therefore, being senior most was promoted to these posts on 24-1-92. The contention of the workman that Tejinderjit Singh was not eligible for promotion because he was not confirmed was not correct and the action of the management was fully justified.

4. The case was fixed for the management evidence on 13-2-95 and the workman absented. He neither appeared on that date nor thereafter and was thus proceeded against ex parte. The Management examined Shri K.S. Sondhi Deputy Manager as their witness who stated on oath the facts stated in the written statement and also his duly sworn affidavit Ex. MW1/1. In view of the fact that no evidence has been led by the workman nor he had cross examined the Management witness there is nothing on record to hold that the objections made by the workman in his statement of claim stood proved. The case of the management, however, stands proved with the sworn testimony of their witness and his affidavit and moreover the Management witness has not been cross-examined at all by the workman. I, therefore, hold that the action of the Management was fully justified and the workman was not entitled

to any relief. Parties are, however, left to bear their own costs.

15th January, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 21 जनवरी, 1997

का. आ. 457.—ओर्डोरिंग विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बाच, अनुबंध में, निर्दिष्ट ओर्डोरिंग विवाद में केन्द्रीय सरकार ओर्डोरिंग अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-01-97 को प्राप्त हुआ था।

[संख्या एल-12012/236/91-प्राई आर (बी-2)]
ब्रज मोहन, डैस्क प्राधिकारी

New Delhi, the 21st January, 1997

S.O. 457.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of New Bank of India and their workmen, which was received by the Central Government on 20-1-1997.

[No. L-12012/236/91-IR B-II]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 136/91

In the matter of dispute :

BETWEEN

Shri Lalit Kumar Gupta,

9/C-2, Hindustan Times Apartment,

Mayur Vihar, I, Delhi-110092.

Versus

General Manager,

New Bank of India,

Tolstoy Marg,

New Delhi-110001.

APPEARANCES :

Shri Lalit Kumar Gupta in person.

Shri Ashwani Kumar—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/236/91-IR B-II, dated 21-10-1991 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the management of New Bank of India in terminating Shri Lalit Kumar Gupta from the services of the Bank is justified ? If not, to what relief is the workman entitled ?"

2. The workman in his statement of claim has alleged that he was working as Clerk-cum-Cashier with New Bank of India since 2-12-81. In 1983 he was transferred to the branch office Pahar Ganj. In 1987 he was transferred to branch office Papravat, Delhi and on his transfer to that branch he had to his credit 20 days unavailed casual leave for 1986, 1985 and 96 days Priviledge leave as on 2-12-96. He was selected through the competitive examination before his appointment. His transfer on 14-7-87 to Papravat was not at his request and it was not a bona fide one against which he protested. To the mis-fortune of the workmen he fell victim of compound fracture of left forearm and then again suffered from the fracture on 26-3-88 of the same bones and thereafter he suffered from jaundice. All this made it impossible for him to remain regular in his attendance but the management put him to serious harassment. Even his wife was taken ill. She had Posterior Miteral Leaflet Prolapse Syndrome (Holosystolic Prolapse). Thereafter there was a split also in his joint family during that time he had to move away to live separately from his parents. All this caused his absence from the Bank and he had been informing the management from time to time about his own illness and his wife illness. He had not been paid wages for the period nor has been paid for the leaves to his credit. He went to join his duties at branch office Papravat but was not allowed to do so where from he came to the regional office at Rajendra Place and was directed to go for medical check up to Dr. Ashok Kapoor. Dr. Kapoor was not available from 10 A.M. to 5 P.M. and he came to know about this from the wife of the doctor after his third or 4th visit.

3. The workman requested the bank for change of the doctor but the management did not agree. He had his medical check from the Dr. Ashok Kapoor whereafter he again reported for his duty at Regional Office, Delhi. He was not allowed and was sent to the bank advising that only after receipt of the medical report he would be allowed to join. He wrote couple of letters to the Management to find out if the report had been received and he could resume duties but the management preferred to remain silent for quite sometime. Towards the end of September '88 he received a letter enquiring him to join at Papravat again but at that time his wife had been taken ill once again and he requested accordingly for leave for sometime as he himself was also not well. After having recovered from the above trauma he went to join at branch office at Papravat on 4-3-89 only to learn that he had been removed from the service in February, 1989 under the provisions of para 16(1) of Bipartite Settlement dated 17-9-84.

4. The provisions of this settlement were wrongly applied to him. He had not taken up any alternative employment and there was nothing to suggest that he had no intention of joining the duties. On the basis of this the workman has claimed that the order of removal from service was illegal and he should be reinstated with continuity of service and back wages.

5. The Management in its reply alleged that the statement of claim merits dismissal. It was an admitted case of unauthorised absence from duty meaning thereby voluntary cessation of employment by the employee. The facts stated by the workman in his statement of claim were not correct. The Act of the transfer of the workman by the management was bona fide. It was denied that the workman fell victim to a compound fracture of the left arm since no date of alleged accident has been mentioned therein or the workman again suffered from fracture on 26-3-88 of the same bone. All these allegations made by the workman in his statement of claim are without any authentic medical certificate nor any intimation was ever sent by the workman to his place of duty. The question of illness of the wife of the workman concerned could in no way stop him from informing the office and apply for proper sanctioning of leave. All the allegations made by the workman in his statement of claim were without any basis. No amount was due against the bank. Rather the bank was to recover a sum of Rs. 28,621 against the loans taken by him from the bank. The allegations made in other paras were also denied and finally it was alleged that the removal of the service treating him as voluntarily retired was according to the said prevailing settlements. The management examined Shri B. K. Batra MW-1 while the workman himself appeared as WW-1.

266 GI/97-17

6. I have heard representatives for the parties and have gone through the record. The representative for the Management has justified the action of the management in treating the workman as absent from duty resulting in voluntary retirement. He has pointed out that the allegations made by the workman in his statement of claim were not proved by any record and even his statement made on oath in the court was false. He has tried to conceal all facts. He even has not disclosed the date of his first accident in which his arm was fractured. He has not been able to tell the date even when he applied for leave. The workman has not been able to show any medical certificate regarding his sickness or that of his wife or any justification for his not joining the duties even when he was allowed to join duty in September, 88. He did not join the same and no request whatsoever was ever made by him. He also admitted that he owes a sum of Rs. 28,621 to the management which he had taken as a loan.

7. The workman representative has not been able to point out as to when the workman met with an accident and why he did not report for duty.

8. A perusal of the points urged by the representatives of the parties, I am of the opinion that the workman has not been able to establish that his absence from duty on transfer in any way was justified. If he had met with a compound fracture of left forearm, he might have gone to some doctor and he or any other member of the family could have informed alongwith the certificate of the doctor to the management. He has subsequently given the date of second fracture as 26-3-88 but his transfer had been effected on 14-7-87. The reason for his absence from 14-7-87 onward does not find any mention/proof in the whole case. He was again asked by the management vide letter of September, 88 to join his duties but he did not report for duty thereafter and he allegedly went to join the duty on 4-3-1989 only to learn that he had been removed from the service in February, 1988. The grounds taken by the workman in his statement of claim do not find any support from any evidence and the story of the workman himself seems to be a made up one. He has neither examined any doctor before this Tribunal to prove any part of the grounds taken by him in his statement of claim. On the basis of the discussions made above, I am of the view that the claim of the workman is not proved and the action of the management in terminating Shri Lalit Kumar Gupta workman from the service of the bank was fully justified. Workman was not entitled to any relief. Parties are, however, left to bear their own costs.

Dated : 13th January, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 22 जनवरी, 1997

का.आ. 458—ओटोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में, कुकिंग कोल लिमिटेड आ सॉडा कोलियरी के प्रबंधनके संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निर्दिष्ट ओटोगिक विवाद में, केन्द्रीय सरकार ओटोगिक अधिकरण, (सं.-1), धनवाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-97 को प्राप्त हुआ था।

[संख्या ए.ज. 20912/127/88-माईआर (सी-1)]

प्रेस मोहन, डैस्क अधिकारी

New Delhi, the 22nd January, 1997

S.O. 458.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal,

(No. 1). Dated as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Cooking Coal Ltd., (Central Saunda Colliery) and their workmen, which was received by the Central Government on 21-1-1997.

[No. I-20012/127/88-IR (C-I)]
BRAJ MOHAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 160 of 1990.

PARTIES :

Employers in relation to the management of Central Saunda Colliery of M/s. C. C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th January, 1997.

AWARD

By Order No. I-20012/127/88-IR. (Coal-I), dated 11-7-1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

“Whether the action of the management of Central Saunda Colliery of C. C. Ltd., P. O. Saunda, District Hazaribagh by reverting Shri Jagu Singh from Lamp Issuer to the post of Lamp Fitter w.e.f. 29-10-1984 and non-payment of make up wages w.e.f. 18-8-1986 is legal and justified ? If not, to what relief the workman concerned is entitled ?”

2. The order of reference was received in this Tribunal on 16-7-1990. Thereafter notices were issued to the parties for filing written statement by the workmen. Despite several adjournments granted to the workman and notice sent to the sponsoring union, no written statement has been filed on behalf

of the workman. Therefore, it appears that neither the workman nor the sponsoring union is interested to prosecute the case.

3. In such circumstances, I render a ‘no dispute’ award in the present reference case.

TARKESHWAR PRASAD,
Presiding Officer.

नई दिल्ली, 22 जनवरी, 1997

स.पा. 459—श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में सर्व कुर्तिंग कोल लिमिटेड का टोपा कॉलियरी के प्रबंधतान्त्र के तंत्रज्ञ और उनके कर्मकारों के बीच, अगुवांश में, लिमिटेड श्रीधोगिक विवाद में, केन्द्रीय सरकार श्रीधोगिक अधिनियम, (सं.-1) धनवाद के पंचाप्त को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-97 की प्राप्त हुआ था।

[रुद्धा एल-20012/(55)/92-आई ग्राह(कोल-1)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 22nd January, 1997

S.O. 459.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Cooking Coal Limited, (Topa Colliery), and their workmen, which was received by the Central Government on 21-1-1997.

[No. I-20012/(55)/92-IR (C-I)]
BRAJ MOHAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference under section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947.

Reference No. 72 of 1993.

PARTIES :

Employers in relation to the management of Topa Colliery of M/s. C. C. Ltd.

AND

Their Workmen

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th January, 1997.

Reference No. 173 of 1990

AWARD

By Order No. L-20012/(55)/92-I.R. (Coal-I), dated 22-2-1993 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the non-acceptance by the management of Tepa Colliery of M/S. C. C. Ltd. the date of appointment of Shri Rameshwar Mishra is legal and justified ? If not, to what relief the workman is entitled ?"

2. The order of reference was received in this Tribunal on 10-3-1993. Thereafter notices were issued to the parties for filing written statement by the workman. Despite several adjournments given to the workman and notice sent to the sponsoring union, no written statement has been filed on behalf of the workman. Therefore, it appears that neither the workman nor the sponsoring union is interested to prosecute the case.

3. In such circumstances, I render a 'no dispute' award in the present reference case.

TARKESHWAR PRASAD,
Presiding Officer.

नई विल्ली, 22 जनवरी, 1997

का.आ.-460—आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की वारा 17 के अनुसरण में, केन्द्रीय सरकार भैसर्स बी.सी. सी. ए.ज. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निर्दिष्ट आधिकारिक विवाद में केन्द्रीय सरकार आधिकारिक अधिकारण, (सं.-1) धनबाद के प्रवपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-97 को प्राप्त हुआ था।

[संख्या एल-20012/34/90-आईआर(गी-1)]

ब्रज मोहन, डैस्क अधिकारी

New Delhi, the 22nd January, 1997

S.O. 460.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 21-1-97.

[No. L-20012/34/90-I.R(C-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

PARTIES:

Employers in relation to the management of Lodna Colliery of M/s. BCCL.

AND

Their Workmen.

PRESENT:

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES:

For the Employers: Shri R. M. Chouhan, Welfare Inspector.

For the Workmen: Shri D. K. Dey, Secretary, Dhanbad Colliery Karamchari Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 13th January, 1997

AWARD

By Order No. L-20012/34/90-I.R. (Coal-I) dated 21-8-1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Lodna Colliery of M/s. BCCL, P.O. Lodna, District Dhanbad in dismissing Shri Mithilesh Paswan, Miner/Loader is justified ? If not, to what relief the workman is entitled ?"

2. The concerned workman and the sponsoring union appeared and filed written statement stating therein that he was employed as Miner/Loader on 10-12-73 and the concerned workman, Mithilesh Paswan worked for 9 years regularly with satisfactory work. However on 7/10 October, 1982 a false, and fabricated chargesheet was issued to him that he got himself employed and impersonating his co-worker Mithilesh Paswan as piece-rated worker who was previously working under the contractor, Shiv Balak Paswan and service was regularised by the Sub-Area Manager. The allegation was for fraud and dishonesty in the chargesheet given to the workman regarding giving false information of his name, age, father's name etc. He submitted his reply to the chargesheet denying the charges and further stated that from 1973 to 1982 he was getting wages and other benefits regularly from the management and there was no complaint against him and an F.I.R. was also lodged against him with Jharia P.S. and after thorough investigation police submitted a final report and the same was accepted by the Court. It is further said that a preliminary enquiry was held by Sri U. K. Jha who submitted his report on 16-10-82 recommending further detailed enquiry. It is said that the workman was kept under suspension and he was not paid suspension allowance. It is also said that by issuing of chargesheet and verbal suspension did not effect relationship of employer and employee.

3. It is also contended that the workman was victimised by the employer and departmental enquiry did not commence for five years. Thereafter he moved before the Hon'ble High Court and on direction given by the Hon'ble Court in CWIC No. 44087(R) ultimately the departmental enquiry was held as said CWIC was permitted to be withdrawn by the workman. After conclusion of the departmental enquiry, the enquiry report was submitted and thereafter vide order dated 27-10-87 the workman was dismissed from service by the Agent/Dy. C.M.E., Lodna colliery and approval of the competent authority was not taken. This dismissal is said to be illegal, motivated and unjustified. Thereafter representation was filed by the workman which was not considered by the management. This dispute was raised before the A.L.C., but the conciliation proceeding failed and thereafter this reference has been made. It is also said that the workman filed reference under Section 33-C(2) of the Industrial Disputes Act before the Labour Court, Dhanbad for computation of benefit

due. Later the same had been withdrawn due to pendency of this reference. It is, therefore, prayed that an award be passed holding that the action of the management in dismissing the workman from service was illegal and unjustified and for reinstatement of the workman with full back wages.

4. I further find that the management appeared and filed written statement stating, inter-alia, that this reference was not maintainable and it is further said that the concerned workman, namely, Sarju Paswan assumed the name of Mithilesh Paswan and entered into service of the management in clandestinely in place of Mithilesh Paswan with the connivance of certain interested persons and this constituted misconduct under clauses 29(11) and 29(17) of the Certified Standing Order. This misconduct of the workman came to the knowledge of the management in the year 1982 and a chargesheet dated 7/14-10-82 was issued to the workman and Sri R. P. Saxena, Sr. Personnel Officer, Jeenagora Colliery, was appointed as Enquiry Officer to conduct departmental enquiry and the Presenting Officer, Sri A. K. Biswas was also appointed. It is further said that the departmental enquiry was held in presence of the chargesheeted workman and in accordance with the principles of natural justice. The reply was given by the workman and copy of the chargesheet was given and explained to the workman, witnesses were examined in his presence and full opportunity was given to him to cross-examine the management's witnesses. Statement of the workman was taken and he also examined defence witnesses. Thereafter the Enquiry Officer submitted his report on 19th October, 1987 holding the workman guilty of misconduct and agreeing with the enquiry report the management dismissed the workman from service by letter dated 27-10-87 with consent of the competent Sr. Officer. It is also said that no objection was raised by the workman against the Enquiry Officer and representing officer or the procedure of the departmental enquiry and he was fully satisfied with the manner of enquiry conducted by the Enquiry Officer. It is further said the workman away from the colliery as record as he was detected impersonator and police wanted to arrest him on the charge of impersonation and he absconded from the colliery after submitting his reply in 1982 and he again went to the colliery only in 1987 and thereafter departmental enquiry was commenced. It is also said that the action of the management was fully legal and justified.

5. A rejoinder to the written statement of the workman has also been given by the management denying specifically and parawise the contention of the workman and sponsoring union and the same is said to be not correct and denied. It is finally said that an award be passed accordingly holding the action of the management is genuine and justified.

6. I further find a rejoinder has also been filed by the workman to the written statement of the management whereas contentions of the management has been denied parawise and specifically and the same is said to be not correct and denied. It is also said that the Enquiry Officer fully biased and prejudiced against the workman concerned and the charges were not established and the enquiry report submitted by the Enquiry Officer was perverse and bad in law and he was illegally dismissed from service with effect from 26-10-87 after six years of illegal stoppage of work. Other allegations made against the workman are said to be illegal, baseless and are denied.

7. From perusal of the record I find that propriety and fairness of the domestic enquiry was taken as preliminary point for hearing in the case whereas the management examined MW-1 Shri R.P.Saxena, Enquiry Officer who has supported the case fully and proved the chargesheet issued to the workman, his reply, evidence of domestic enquiry file, his enquiry report and dismissal letter, marked Exts'M-1 to M-8. He was cross-examined on behalf of the workman and he specifically stated that the finding given by him was not bad in law. He has also stated that while holding the enquiry principles of natural justice was held by him and he was never biased against the workman and no complaint was ever made by the workman about him or procedure of holding enquiry. He could not say as to whe-

ther the dismissal of the workman was approved by the competent authority or not.

8. Similarly the workman has examined WW-1, the concerned workman himself who has tried to support his case and has produced different documents marked Exts. W-1 to W-13 series including certified copy of the order of High Court and another certified copy of order of the Hon'ble High Court (Ext'W-11). He has also proved Voters' list of Jharia Constituency (Ext'W-12) and three certificates given by the M'L'A, Mukhiya of the Gram Panchayat marked Exts'M-13 series. He did not get any subsistence allowance he was stopped from work and he has said to be genuine Mithilesh Paswan and not impersonator. Cross-examination he has stated that he did not know as to how he was dismissed by the management and denied that he was Sarju Paswan S/O Budhan Paswan and that Mithilesh Paswan is his brother's son. He has also denied that the management came to know that he was Sarju Paswan and not Mithilesh Paswan and passing as Mithilesh Paswan by impersonating him. He has admitted that the matter was also reported to the police and the police has identified him as Sarju Paswan and has denied that in the voter list the name of Mithilesh Paswan S/O Budhan Paswan appeared and that he was not Mithilesh Paswan. There is no other witness in this hearing of preliminary point and from perusal of record I find that on 7-1-93 the then Presiding Officer passed an elaborate order and held, after considering the evidence on record, that the domestic enquiry was fair and proper. It was also held that from the documents of the management the chargesheet Ext'M-1 it was clear that the workman was not suspended from service and as such there is no question of paying suspension allowance to the concerned workman.

9. Thus, I find both the points regarding holding of domestic enquiry fairly and properly and its allowing suspension allowance as claimed by the workman were decided by the said order dated 7-1-93 against the workman and thereafter the case was posted for hearing on merit. I further find that hearing on the merit regarding quantum of punishment given to the workman. Again I find that the workman has examined himself as WW-1 on the point of victimisation on 20-9-94 and has stated that by verbal order he was stopped from working and explained the chargesheet but he was not allowed to duty.

Thereafter he moved to the Hon'ble High Court in CWJC and as per undertaking given by the management the same was permitted to be withdrawn by the Hon'ble Court and thereafter departmental enquiry was held and he was dismissed. The workman again moved to the Hon'ble High Court but he was not taken back to service. It is further stated he was not paid subsistence allowance during the period of stoppage of work. In cross-examination he has denied that after receiving a complaint that he was not genuine person he absconded from official duty and he had no paper to show that he was verbally stopped from work one year prior to the chargesheet. He has further stated that later he was suspended by management's order and he had appealed to the management that he was wrongly suspended. He has denied that he had not filed any paper to prove his genuinity that actually he was Mithilesh Paswan S/o Budhan Paswan. There is no other witness in this case.

10. While arguing it has been submitted on behalf of the workman and sponsoring union that he was verbally stopped from work prior to issuance of chargesheet and even after issuance of chargesheet no departmental enquiry was held for five years and he moved to the Hon'ble High Court against this action of the management and only when undertaking was given by the management before the Hon'ble Court and thereafter he was allowed to withdraw the petition and domestic enquiry was held and even then no suspension

allowance was paid to him and he was wrongly dismissed from service although he had produced a number of documents, Exts. W-1 to W-13 series to show his genuineness and he has also examined Sheobalak Paswan, the then Contractor, under whom he had worked as contractor's worker. But the evidence given by him and defence witness were not considered properly by the Enquiry Officer and the enquiry report was submitted holding him guilty wrongly and thereafter he was wrongly dismissed from service which was far from being malafide and justified. It was further submitted that he was real Mitrilesh Paswan and for that he had filed Voter List of Jharia Constituency where his name Mithilesh Paswan S/o Budhan Paswan was entered and certificates given by Mukhiya and other authorities were also not believed by the Enquiry Officer and the management and he has been dismissed from service illegally and unjustified and he is entitled for reinstatement with full back wages and other benefits from the date of his dismissal.

11. On the other hand, it has been submitted on behalf of the management that after holding the domestic enquiry fair and proper and also the workman was not entitled for subsistence allowance as he was not put under suspension, the only point to be considered in this case is quantum of punishment given to the delinquent. It is further submitted that in the domestic enquiry all the documents produced on behalf of the management as well as on behalf of the workman were considered. Certificates produced by the workman in support of this case were after issuance of chargesheet to him and these were simply after thought and manufactured one and as such those were not relied upon by the Enquiry Officer. From the copy of the Voter List of the village of the workman Ext. M-11 (of the domestic enquiry) it is clear that Sarju Dusadh was S/o Budhan Dusadh whereas Mithilesh Prasad was S/o Prayag Dusadh and he was a real person to whom the concerned workman impersonated. Said Mithilesh who was also examined as management's witness in the enquiry. As there was nothing to disbelieve his veracity so far copy of voter list (Ext.W-12) produced by the workman of Jharia Constituency there is name of Mithilesh Paswan S/o Budhan Paswan but actually this workman was not Mithilesh Paswan and he got this name entered clandestinely. Giving wrong name, father's name, address etc, as well impersonation is serious misconduct under Certified Standing Order and it is submitted that the workman was rightly dismissed as he was found guilty for the above noted misconduct by the 3111 R/2 Order and dismissal order was issued to the workman with effect from 26/10/87 by the Agent of the colliery with approval of the competent authority vide letter dated 27/10/87 and it is incorrect to say that no such approval of the competent authority was taken. In this view of the matter it is submitted that the punishment given to the workman by way of dismissal from service for the above noted misconduct was quite proper and just and in accordance with principles of natural justice and also considering the gravity of the misconduct.

12. After going through the case record and perusing the documents of the parties and considering the points of argument, I find much force in the plea taken on behalf of the management that after holding domestic enquiry fair and proper by order dated 7-1-93 and also that he was not put under suspension so there was no question of payment of subsistence allowance to him. The only point to be considered is quantum of punishment given to the delinquent. I find that there is much substance in the management's plea that when the workman knew that the fact of impersonation and F.I.R. was lodged and the police wanted to arrest him, he absconded from the colliery after filing his reply and only after lapse of five years in the year 1987 he filed CWJC No.440/87(R) before Hon'ble High Court that the departmental enquiry was not proceeding on and after assurance given by the management said CWJC was permitted to be withdrawn by the workman and thereafter departmental enquiry was held in his presence as per principles of natural justice. The opportunity was given to the workman to cross-

examine the witnesses of the management, to give his own statement and to examine his defence witness which he examined as many as five witnesses. A number of documents have been filed on behalf of both the parties and were scrutinised and considered by the Enquiry Officer and thereafter report was submitted. There was no grievance of the workman during enquiry or in the evidence before this Tribunal that no due opportunity was given to him to defend in the domestic enquiry and accordingly it was held to be fair and proper. Thereafter the workman again deposed before this Tribunal on the point of victimisation but he could not show any instance that he was victimised in any way by the management after issuance of chargesheet or prior to that. He has clearly admitted that he had no paper to show that he was early put under suspension by the Management prior to issuance of chargesheet or that the management did not proceed with the departmental enquiry intentionally for a long period just to harass him. As such, I do not find any merit in the plea taken on behalf of the workman. I further find that considering serious gravity of the misconduct committed by the workman issuance of aforesaid dismissal order dated 27-10-87 to the workman by the management was fully justified. In the facts and circumstance of the case the workman is not entitled for any relief as claimed.

13. Hence, the following award—The action of the management of Lodna Colliery of M/s B.C.C.Ltd., P.O. Lodna, Dist. Dhanbad in dismissing Shri Mithilesh Paswan, Miner/ Loader was justified and the workman does not deserve any relief as claimed.

However, there will be no order as to costs.

Sd/-

Tarkeshwar Prasad, Presiding Officer.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 461—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना प्रयोगित था, आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (4) के उपखंड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2501 दिनांक 9 अगस्त, 1996 द्वारा जिक खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 12 अगस्त, 1996 से छह मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की यह राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है।

अतः अब, आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (4) के उपखंड (6) के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 12 फरवरी, 1997 से छह मास की और कालावधि के लिये सोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-१(ए)(१)]
एच.सी. गुप्ता, प्रबार सचिव

MINISTRY OF LABOUR

New Delhi, the 30th January, 1997

S.O. 461.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2501 dated 9th August, 1996, the Zinc Mining Industry to be a public utility service for a period of six months, from the 12th August, 1996:

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 12th February, 1997.

[No. S-11017/9/85-D.I.(A)(ii)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 462—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (८) के उपखंड (६) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मन्त्रालय की अधिसूचना संख्या का. आ. 2502 दिनांक 9 अगस्त, 1996 द्वारा शीशा खनन उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 12 अगस्त, 1996 से छः मास की कालावधि के लिये सोक उपयोगी सेवा घोषित किया था।

प्रीर केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की प्रीर कालावधि के लिये बढ़ाया जाना अपेक्षित है।

अतः अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (८) के उपखंड (६) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये 12 फरवरी, 1997 से छह मास की प्रीर कालावधि के लिये सोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-1(ए)(२)]
एच.सी. गुप्ता, अवर सचिव

New Delhi, the 30th January, 1997

S.O. 462.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2502 dated 9th August, 1996, the Lead Mining Industry to be a public utility service for a period of six months, from the 12th August, 1996:

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of Clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 12th February, 1997.

[No. S-11017/9/85-D.I.(A)(ii)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 30 जनवरी, 1997

का.आ. 463—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि सिक्युरिटी पेपर मिल, होसंगाबाद को, जिसे श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 21 के अन्तर्गत निर्विष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिये लोक उपयोगी सेवा घोषित किया जाना चाहिये,

अतः अब, श्रीधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (८) के उपखंड (६) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिये तत्काल प्रभाव से छह मास की कालावधि के लिये लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/10/81-डी-1(ए)]

एच.सी. गुप्ता, अवर सचिव

New Delhi, the 30th January, 1997

S.O. 463.—Whereas the Central Government is satisfied that the public interest requires that the Security Paper Mill, Hosangabad, which is covered by item 21 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/10/81-D.I.(A)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 31 जनवरी, 1997

का.आ. 464—जबकि श्री तारकेश्वर प्रसाद, अपर जिला एवं सत्राचाराधीन को श्रम मन्त्रालय में भारत सरकार के दिनांक 27 अगस्त, 1996 की अधिसूचना (सं. ए-11016/2/95-सी एसएस-II) द्वारा श्रीधोगिक श्रधिकरण सं.-1 धनबाद का पीठासीन अधिकारी नियुक्त किया गया है;

प्रौढ़ जब कि श्रम एवं रोजगार मंत्रालय के दिनांक 11 अप्रैल, 1967 की सं. 1413 की अधिसूचना द्वारा गठित धनबाद में आधिकारी अधिकरण सं. 2 में पीठासीन अधिकारी की एक रिक्ति हुई है;

अतः अब, आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रवस्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री तारकेश्वर प्रसाद को उनके वर्तमान कार्यभार के अलावा उक्त आधिकारिक अधिकरण सं. 2 धनबाद के पीठासीन अधिकारी के रूप में, उनके भ्रतिरिक्त कार्यभार ग्रहण करने से तीन माह की प्रवधि के लिये अथवा आधिकारिक अधिकरण सं. 2 धनबाद में नियमित पदधारी के कार्य ग्रहण करने तक, जो भी पहले हो, नियुक्त करती है।

[फा. सं. ए-11016/4/93-सी एल एस-II]

एस. वी. कृष्णन, अवर सचिव

New Delhi, the 31st January, 1997

S.O. 464.—Whereas Shri Tarkeshwar Prasad, Addl. Distt. and Sessions Judge was appointed as Presiding Officer, Labour Court, No. 1 Dhanbad by the notification of the Government of India in the Ministry of Labour (No. A-11016/2/95-CLS-II) dated 27th June, 1996;

And, whereas a vacancy of Presiding Officer has occurred in the Labour Court, No. 2 at Dhanbad constituted by the notification of the Government of India in the then Ministry of Labour and Employment No. S.O. 1697 dated the 22nd May, 1965;

Now, therefore, in exercise of the powers conferred by Section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Tarkeshwar Prasad, as the Presiding Officer of the said Labour Court, No. 2 Dhanbad in addition to his present charge for a period of three months with effect from his taking over the additional charge or till the regular incumbent of Labour Court, No. 2 Dhanbad joins, whichever is earlier.

[F. No. A-11016/4/93-CLS-II]
S. V. KRISHNAN, Under Secy.

